1937-40-41 **File No. 1104/36**

[redacted] PUBLIC WORKS DEPARTMENT

M BRANCH

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Subject:— Electric License.

A CLASS Nipani 1940

Grant of — to messrs.

A. D. Baria & N. C. Javeri

P. 173

E

A-1 [illegible]

M

**File No.** 1104/36

Pub. Secti. Blip 24-B

## PUBLIC WORKS DEPARTMENT.

Bombay Castle, 23rd August 1934.

No. 7291/27.—In exercise of the powers conferred by sub-section (*1*) of section 28 of the Indian Electricity Act, 1910 (IX of 1910), the Governor in Council, with the consent of the Municipality of Nipani, is pleased to grant sanction to Messrs. Ardesher D. Baria and Navnitlal C. Javeri trading as Messrs. Baria and Javeri and carrying on business at 17-B, Elphinstone Circle, Fort, Bombay, under the name and style of the Nipani Electricity Company (hereinafter referred to as " the Company ") to engage in the business of supplying energy within the limits of the municipal district of Nipani shown as bounded by a green line on the map signed by the Company and deposited with Government, subject to the provisions of the said Act and the rules for the time being in force thereunder, and subject to the conditions specified in the schedule hereto and such other conditions and restrictions as may, from time to time, be imposed by Government :—

SCHEDULE.

(I) *System and Purposes of Supply.*—(1) The system of supply of energy which may be adopted for the purpose of this sanction shall be as follows :—

I. *Direct Current.*

*For general purposes, viz. lights, fans and heaters—*

(*a*) A continuous current low pressure supply at the consumer's terminals at 220/230 volts between one of the outers and the middle conductor of a three-wire system, the middle conductor being connected to earth at the generating station, but insulated at all other parts, or

(*b*) A continuous current low pressure supply at 220/230 volts between the conductors of a two-wire system.

*For power purposes—*

(*c*) A continuous current low pressure supply at 220/230 volts between the conductors of a two-wire system, or

(*d*) A continuous current medium pressure supply at 440/460 volts between the outers.

II. *Alternating Current.*

Three-phase, four-wire, periodicity 50 cycles per second. The pressure of supply at the consumer's terminals shall be as under :—

(*a*) 230 volts between each phase and neutral for general purposes, viz. lights, fans and heaters.

(*b*) 400 volts between phases for motive power purposes and purposes other than those specified in (*a*) above.

(2) The work in connection with the erection of aerial lines or any poles or apparatus in connection therewith along or across any street or road or elsewhere in the area of supply shall be carried out in accordance with the methods of construction approved in writing by the Electrical Engineer to Government, and for that purpose the Company shall previously submit to the Electrical Engineer to Government full details and plans of such methods of construction as it proposes to adopt.

(3) Where overhead mains are used at crossings in the routes through which *raths* or *taboots* or other similar religious processions are likely to pass, the said mains shall be erected at such height not being less than 30 feet from the ground level of the street as will allow a free passage of these processions. In case of dispute such routes and heights shall be determined by the District Magistrate.

(4) The supply of energy shall not be commenced unless and until the works have been inspected and passed in writing by the Electrical Inspector, Bombay.

(5) The Company shall have to supply energy daily from 6 p.m. to 12 midnight (Indian Standard Time).

(II) *Limitation and security for the execution of works and the Area of Compulsory Supply.*—(1) The Company shall within eighteen months from the date of this notification, execute works to the satisfaction of Government for the full supply of energy throughout the roads or streets or parts thereof which are shown on the said map by red lines and are described below, namely :—

1. Tambaku Market Road from Belgaum-Poona Road (Kolhapur Road) to Tandul Peth.
2. Tandul Peth and Dalal Peth—from Tambaku Market Road to Lohar Galli.
3. Guruwar Peth—from the junction of Dalal Peth to Bhagwan Galli.

4. Satwai Galli—from Belgaum-Poona Road (Kolhapur Road) to the junction of Dalal Peth.

(2) The Company shall, within six months from the date of this notification, deposit with Government a security of Rs. 500 for the execution of the works referred to in sub-clause (1). If the security is not deposited within the period specified above, the sanction granted under this notification shall be liable to be revoked or withdrawn and if the works referred to in sub-clause (1) are not completed to the satisfaction of Government within the period of eighteen months specified therein and the supply not commenced before the expiry of that period, the security shall be liable to be forfeited at the discretion of Government.

(III) *Generating, Receiving, Transforming and Distributing Stations.*—(1) The generating, receiving, transforming and distributing stations shall be within the area of supply.

(2) Qualified men having at least first class competency certificates shall be employed in the generating station and on the distribution system and the whole undertaking shall be under the charge of a fully qualified Electrical Engineer with previous experience of at least five years.

(IV) *Rates and miscellaneous charges.*—The rates to be charged for the supply of energy shall not exceed the following maxima charges, subject nevertheless to revision from time to time by or with the previous approval of Government, namely :—

(1) Where energy is not supplied by meter a fixed rate of Rs. 1-8-0 per mensem shall be charged for a 20 watt lamp and annas eight for every additional 10 watts or part thereof.

(2) Energy shall also, if so required, be supplied by meter, at a rate not exceeding six annas per unit for general supply purposes, viz. lights, fans and heaters and at a rate not exceeding three annas per unit for power purposes, the said rates being exclusive of the meter rent which shall be charged for at the rates specified in the Appendix hereto.

(3) A minimum charge of Rs. 3 per month for general supply purposes and Rs. 4 per month per killowatt connected for power purposes shall be levied exclusive of the meter rent and irrespective of whether energy of that value has been consumed or not.

(4) The prices to be charged for energy supplied for public lamps and the mode in which those charges, which shall not exceed the maxima stated above, are to be ascertained shall, if the matter cannot be settled by agreement with the Municipality of Nipani, be determined by Government on the application of either party.

(5) The charges for service lines and other miscellaneous charges which the company is allowed to make are laid down in the Appendix hereto.

(6) The energy supplied to all Government buildings within the area of supply shall be treated as a single bulk supply and discount shall be given at the rate of 1 per cent. for every 250 units consumed per month up to a maximum of 35 per cent.

(V) Before giving connection to the intending consumers the Company shall satisfy itself that the wiring work has been carried out by a licensed electrical contractor and under direct supervision of a Class I Competency Certificate holder as required by Rule [illegible] of the Indian Electricity Rules, 1922.

(VI) *Application of certain sections of the Indian Electricity Act, 1910, and certain rules of the Indian Electricity Rules, 1922.*—The provisions of sections 11 and 20 to 26 of the Act, clauses II, III, V and VI of the schedule to the Act and rules 23, 24, 25, 29, 32, 33 and 106 of the Indian Electricity Rules, 1922, shall apply to the Company as if it were a licensee.

(VII) *Revocation of sanction.*—The sanction hereby granted may be revoked or withdrawn at any time for breach of any of the above conditions. The sanction may also be revoked or transferred at any time by Government for reasons of their own after giving the Company at least six calendar months' previous notice in writing. On the expiration of such notice or in case the Company ceases from any cause beyond its control to supply energy to the public, the Company shall, at its own expense, forthwith remove all aerial and other supply lines, poles and apparatus unless it shall have applied for and obtained in the meantime a license to supply energy within the area of supply.

APPENDIX REFERRED TO IN SUB-CLAUSES (2) AND (5) OF THE PART IV OF THE SCHEDULE.

*Service Line.*—One hundred feet of service line from the distributing main, but not on the property for which requisition for supply is received, shall be laid free of charge. The charges for the rest of the service line shall be recovered at the actual cost plus 15 per cent. to cover overhead charges. The rates given below are only for

the purposes of estimating and recovering deposits, but in all cases, the final adjustment must be made on the basis of the actual cost :—

2-wire service up to 10 amps. Bare copper wire at Re. 1 per yard.
2-wire service up to 25 amps. Bare copper wire at Rs. 2 per yard.
2-wire service up to 50 amps. Bare copper wire at Rs. 3 per yard.
2-wire service up to 10 amps. C.T.S. or V.I.R. on cleats at As. 12 per yard,
3-wire service up to 10 amps. per side or phase in conduit at Rs. 2 per yard.
3-wire service up to 25 amps. per side or phase in conduit at Rs. 3 per yard.
3-wire service up to 50 amps. per side or phase in conduit at Rs. 4 per yard.
3-wire service up to 10 amps. bare copper at Rs. 1-8-0 per yard.
3-wire service up to 25 amps. bare copper at Rs. 2-8-0 per yard.
3-wire service up to 50 amps. bare copper at Rs. 3-8-0 per yard.
4-wire service up to 10 amps. C.T.S. or V.I.R. in conduit at Rs. 2-8-0 per yard.
4-wire service up to 25 amps. C.T.S. or V.I.R. in conduit at Rs. 3-8-0 per yard.
4-wire service up to 50 amps. C.T.S. or V.I.R. in conduit at Rs. 4-8-0 per yard.
Angle iron and pipe brackets will be quoted on request.
Rail pole, when required including the cost of erection at Rs. 20 each.
Stay pole, when required including the cost of erection at Rs. 7 each.

1. *Connection fee.*—

(*a*) Connection fee for every new installation to the supply mains including the fixing of meters ... Rs. 6.

(*b*) If two or more new connections are simultaneously made from the same service, the fee for each additional connection shall be ... Rs. 3.

2. Reconnection fee for an installation which is disconnected on account of—

Vacation of premises or non-payment of accounts or an infringement of the rules ... ... Rs. 2.

*Note.*—If, owing to the staff of the Company being unable to obtain access to the meter, the disconnection has to be made from the mains, either underground or overhead, the consumer shall have to pay all costs incidental to such disconnection and reconnection.

3. *Meters, etc.*—

(*a*) Hire of a D.C. meter or a single phase A.C. meter, per month ... ... ... As. 8 per meter.
Hire of a polyphase A.C. meter per month ... Re. 1 per meter.

(*b*) Changing meter for one of a different size, when necessitated by a change in the consumer's demand ... ... ... Rs. 2 per meter.

(*c*) Changing the position of the meter board only and when no alteration to service is required, the necessary alteration in wiring being carried out by the consumer through a licensed electrical contractor ... ... Rs. 3.

(*d*) Charge for attendance of fuseman ... ... Re. 1.

(*e*) Charge for the supply and fixing of an additional meter board ... ... ... Rs. 3.

4. *Testing*—

(*a*) *Installations.*—The test and inspection prior to connection of a new installation shall be carried out free of charge, but should any further test and/or inspection be found necessary owing to any fault in the installation or non-compliance with rules, the charge for each additional test shall be ... ... ... Rs. 5.

(*b*) *Testing of meters.*—In the case of a disputed meter no charge shall be made for testing it, should the meter prove to be more than 3 per cent. fast or slow; otherwise the charge for testing it shall be ... ... ... Rs. 3 per meter.

(*c*) The Company shall undertake to test and calibrate meters, which are the property of the consumer on payment of a charge of ... ... Rs. 3 per meter.

*Note.*—The Company shall not accept any responsibility whatsoever for the satisfactory and correct running of the consumer's meter after the owner has taken delivery thereof subsequent to the test.

5. *Failure of supply.*—

For restoring connection in cases in which the failure of supply is due to any cause other than a fault in the Company's apparatus ... ... Re. 1.

6. Security deposits to be made against payment of monthly bills, when required by the Company shall be as follows:—

(1) For lights and fans per 5 K.W. applied for ... Rs. 5.
(2) For motive power per B.H.P. installed ... Rs. 10.

7. Temporary service, if required, shall be laid at the scheduled rates, but the cost thereof, less depreciation at 7½ per cent. per month for the period of temporary use, shall be refunded on the service being dismantled by the Company.

*N.B*:—All charges are payable in advance.

By order of the Governor in Council,

(Sd.) N. B. BAXTER,
Officiating Secretary to the Government of Bombay,
Public Works Department.

By order of the Governor in Council,

N. B. BAXTER,
Officiating Secretary to Government.

G. R., G. D., No. 2108, dated 22-6-22.]

Std Sectt. 73 e.

# DOCKET SHEET

***Subject:—***

**File No.** 1104/36

P.W. **DEPT.**

**BRANCH.**

***References:—***

A CLASS.

| Date. | To whom sent. | Notes and instructions. |
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| 13.2.37 | MB | |
| 16/2 | DS. | Some advt. return. |
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| 8/3 | MB | |
| 27/3 | DS. | Some advt. return. Examined 16/5/41 |
| 21/7 | MB | |
| 11/11/37 | MB | Examined 26/11/46 |
| 26/1/39. | MB. | |
| 10/1/45 | File Br | File (A) |

# Nipani Electric License, 1936.

**License** :—License is hereby granted to Messrs. A. D. Baria and N. C. Javeri carrying on business under the name and style of the Nipani Electricity Company and having its Office at 17-B, Elphinstone Circle, Bombay, to supply energy in the area with the powers and upon the terms and conditions specified below.

1. **Short title** :—This license may be cited as "**The Nipani Electric License, 1936**."

2. **Interpretation** :—In this license—

(1) "Act" shall mean the Indian Electricity Act, 1910.

(2) "Rules" shall mean the Rules made under the Act;

(3) "Licensee" shall mean and include the said Nipani Electricity Company, and its permitted assigns.

(4) "Deposited map" shall mean the plan of the area of supply as hereinafter specified, which is deposited with Government in pursuance of the Rules, which plan is signed, for the purpose of identification, by the Secretary to the Government of Bombay, in the Public Works Department and by the Licensee;

(5) "The commencement of this license" shall mean the date of the notification by the Government of Bombay in the Bombay Government Gazette by which this license is granted;

(6) "Government" shall mean the Government of Bombay.

(7) Words, terms and expressions not defined in this license but defined in the Act or Rules shall have the meaning assigned to them in the act or Rules.

3. **Area of supply** :—The area within which the supply of energy is authorised by this license, hereinbefore and hereinafter referred to as "the area of supply" shall be the whole of the area comprised within the limits of the municipal district of Nipani which are shown as bounded by a red coloured line on the deposited map.

4. **Area of compulsory supply** :—(1) Subject to the provisions of sub-clause (1) of clause 6 below, the licensee shall maintain to the satisfaction of Government full supply of energy throughout the streets or parts of streets

as are mentioned below and shown in yellow colour on the deposited map.

(1) Tambaku Market Road from Belgaum Poona Road (Kolhapur Road) to Tandhul Peth.

(2) Tandhul Peth and Dalal Peth: from Tambaku Market Road to Lohar Galli.

(3) Goruwar Peth : from the Junction of Dalal Peth to Bhagawan Galli.

(4) Salmai Galli : from Belgaum Poona Road (Kolhapur) Road to the Junction of Dalal Peth.

(2) In the case of any difference between the description of the streets mentioned in sub-clause (1) of this clause and that indicated on the deposited map, the latter shall prevail.

5. **Revocation of license** :—If the licensee fails to comply with the provisions of sub clause (1) of clause 4, the license shall be liable to be revoked.

6. **Purposes of supply** :—(1) Subject to the provisions of this license and the Act and the Rules, the licensee shall be entitled during the continuance of this license to supply, within the area of supply for all purposes, and in bulk and to other licensees for their own purposes:

Provided that the licensee shall within three months from the commencement of this license submit for the sanction of Government the following :—

(a) the form of requisition to be made by such owner or occupier or distributing licensee for such supply of energy.

(b) the form of written contract or agreement with the licensee to take a supply of energy to be executed or entered into by such owner or occupier or distributing licensee: and

(c) the amounts of all miscellaneous charges which the licensee proposes to make against such owner or occupier or distributing licensee, as incidental to or in connection with such supply.

(2) Clauses, V, VI, VII, IX, X and XI of the Schedule to the Act shall wherever necessary, be read as expressly added to or varied to the extent set out in the proviso to sub-clause (1) of this clause.

(3) The licensee shall not supply energy to any premises unless the owner or occupier of such premises has satisfied the licensee that all works, including repairs relating to electric wires, fittings and apparatus on such premises, have been carried out by a licensed electrical contractor and under the supervision of a Competency Certificate holder under any rules or orders issued by Government in this behalf, or by such other person as may be

authorised to carry out such works under rule 40-A of the Rules and clause VI of the Schedule to the Act shall be deemed to be modified accordingly.

7. **System of Supply :—** (1) The system of supply of energy which may be adopted for the purpose of this license shall be following :—

**ALTERNATING CURRENT.**

Single or three phase, three or four wires, periodicity fifty cycles per second. The pressure of supply at the consumer's terminals shall be as under :—

(a) 230 volts between each phase and neutral for general purposes, viz. lights, fans, heaters and refrigerators ;

(b) 400 volts between phases for motive power purposes and purposes other than those specified in (a) above ; and

(c) any pressure up to 6,600 volts for feeders and for supply to any large consumer for power purposes :

Provided always that the licensee may from time to time with the previous consent in writing of and subject to such limitations and conditions as may be prescribed in writing by Government adopt any other system of supply for the purpose of this license and that no high tension mains shall be brought within or near the populated areas without the specific sanction of Government in each case.

(2) The Feeders, distributing mains and service lines may be overhead or under ground, provided that, wherever and whenever specifically required to do so in writing by Government such feeders, distributing mains or service lines shall be laid underground.

Provided further that :—

(a) no work or works shall be commenced by the licensee unless and until the method of construction has been previously approved in writing by the Electrical Engineer to Government.

(b) where overhead mains are used, they shall be nowhere at a height less than thirty feet from the ground level of the streets at all crossings in all the routes where raths or taboots or other similar religious processions are likely to pass. In cases of dispute, such routes and heights shall be determined by the District Magistrate

(c) in narrow lanes or streets the posts shall be placed on the extreme edge of the lane or street and a special construction to be approved by the Electrical Engineer to Government shall be adopted to keep the wires clear of every building ;

(d) no posts for overhead lines shall be erected in streets or thoroughfares which are less than ten feet in width for vehicular traffic ; and

(e) nothing in this license shall authorise the licensee to use overhead mains at any higher pressure than the medium pressure without the written sanction of Government in each case and subject to any conditions or limitations which Government may prescribe.

(3) Due precautions shall be taken to avoid any possible interference with the adjacent telephone or telegraph circuites due to inductive effects. The electric wires shall be suitably transposed where necessary.

(4) For the purpose of rule 61 of the Rules the maximum wind pressure shall be taken as fifteen pounds per square foot.

8. **Generating, Receiving, Transforming and Distributing Stations** :— (1) The generating, receiving, transforming and distributing stations shall be within the area of supply. But the licensee shall be at liberty either to generate energy to satisfy the whole or any part of its requirements or to purchase the whole or any part of energy the licensee requires for distributing and resell the same within the area of supply. When energy is brought from outside the area of supply lines in accordance with the Act and the Rules for the conveyance and transmission of energy from the point of bulk supply outside the area of supply to the boundary of the area of supply.

(2) Qualified men with at least competency certificates shall be employed in the generating station and on the distribution system and the whole undertaking shall be under the charge of a qualified engineer with previous experience of at least five years.

9. **Rates: Limits of Prices to be Charged** :— The prices to be charged by the Licensee for energy supplied by the licensee shall not exceed the maxima set out below, or in the case of a method of charge approved by Government under clause (c) of subsection (3) of section 23 of the Act, such maxima as Government may fix on approving the method :—

(A) Where energy is supplied by meter :—

(1) For general supply purposes, viz :—

(a) for lights and fans not provided for in item (b) below – a rate of annas six per unit ;

(b) for lights and fans in residential premises, religious and educations and hospitals a rate of annas five per unit ;

(c) for heating and refrigerating purposes – a rate of annas three per unit ; and

(d) for motive power purposes and purposes other than those mentioned in item (1) (a), (b) and (c) above :—

Up to and including 3 K. W. – A standing charge of Rs. 3 per K. W. per mensum plus annas two per unit.

Over 3 K. W. – A standing charge of Rs. 3 per K. W. per mensum plus anna one and half per unit.

NOTE :— The term "unit" occuring in this subclause shall mean the energy contained in a current of 1,000 amperes flowing under an electro-motive force of one volt during one hour.

(2) A minimum charge of Rs. 3 per month in the cases referred to in items (a), (b) and (c) sub-clause (1) of this clause shall be charged exclusive of meter rent and irrespective of whether energy of that value has been consumed or not.

(3) Meter rent :— The rent to be charged for meters shall not exceed – Annas eight per month for a single phase A. C. meter; and one rupee per month for a polyphase A. C. meter.

(B) Where energy is not supplied by meter, a fixed rate of rupee one and annas eight (Rs. 1–8–0) per mensem shall be charged for a twenty watt light and one rupee (Re. 1) for every additional twenty watts or part thereof burning for not more than six hours per night.

(C) In the case of large consumers, contracts may be made for fixed periods at such rates not exceeding the rates specified in sub-clause (A) of this clause as may be agreed upon.

(D) Without prejudice to anything contained in the above clauses A, B, or C, the licenses may at any time enter into a special contract with the Municipality of Bhiwandi Nizampur for supply of energy to the said Municipality for public lighting upon such terms and conditions and at such rates not exceeding the maxima charges specified above, as may for the time being be mutually agreed upon.

10. **Breaking up of Streets** :— The length of trenches to be opened on any street at any one time and the period for which they may remain open, shall be determined from time to time by Government or the local authority by which such streets are repairable.

11. **Purchase of the Undertaking** :— (1) The option of purchase given by sub-section (1) of section 7 of the Act shall be exercisable first on the expiration of forty years from the commencement of this license and thereafter on the expiration of every subsequent period of ten years therefrom. The percentage of the value of the lands, buildings, works, materials, and plant of the licenses referred to in sub-section (1) of section 7 of the Act which shall be added to such value under the second proviso to that sub-section on account of the compulsory purchase, shall be ten percent.

(2) In accordance with clause (d) (ii) of sub-section (2) of section 3 of the Act, it is hereby declared that the generating station belonging to the licensee and used in connection with the undertaking or where energy is brought from any other person or company, the receiving and distributing

sub-stations used in connection with the undertaking, shall form part of the undertaking for the purpose of purchase under section 5 or section 7 of the Act

12. **Assignment of the License** :— At any time after the commencement of this license, the licensee may, with the previous consent in writing of Government, and subject to compliance with such conditions upon which such consent may be given, assign this license and transfer the whole of the undertaking in respect of which this license is granted (including all lands, buildings, works, materials and plant of the licensee) to any individual or company formed or to be formed and registered in the Bombay Presidency in accordance with the law for the time being in force in British India, or in Great Britain under any enactment relating to companies for the time being in force there, and having authority to take over the license and the said undertaking as the case may be, and to exercise the powers and perform the obligations given to or imposed upon the licensee under this license and the Act and the Rules, and on such assignment and transfer the rights, powers, authorities obligations and liabilities of the licensee shall be exercisable by and shall attach to such individual or company formed or to be formed as aforesaid.

13. **Exemption from Security** :— In pursuance of clause (f) of sub-section (2) of section 3 of the Act, it is hereby expressly declared that clause I of the Schedule to the Act shall be excepted from incorporation in this license.

Dated this day of one thousand nine hundred and thirty

By order of His Excellency the Right Honourable the Governor of Bombay in Council.

Secretary to the Government of Bombay,

Public Works Department.

# THE NIPANI ELECTRICITY CO.,

17 B, ELPHINSTONE CIRCLE.

TELEPHONE No. 20704.

BOMBAY, 8th February 1937.

*Ref. No.* NIP/ .

The Deputy Secretary to Government,
Public Works Department,
BOMBAY.

Dear Sir:

RE: NIPANI ELECTRIC PERMIT

We have been engaged in the business of supplying electric energy in the area of the Municipality of Nipani in accordance with the permit granted by the Government of Bombay, under section 28 of the Indian Electricity Act, 1910 (IX of 1910). The Electrical Undertaking has grown in magnitude and it is considered that in order to possess the full rights of a License under Section 3 of the Indian Electricity Act, 1910, as amended, it is necessary to obtain a License under the said section.

We beg to apply for the above License and request that the Government will be pleased to grant us the same.

The following documents are enclosed herewith:-

1. SIX copies in print of the draft License. ⊙ *pp 1-6*
2. A Challan for Rs.500/- as License fee. *b*

⊙ in case bound

The local authority is the Municipality of Nipani.

We beg to add that we shall publish the advertisement as required by the rules in a local paper which has a wide circulation in the area of supply copies of which will be sent to you after publication.

We trust that Government will accord us the necessary License at an early date.

Yours faithfully,

FOR THE NIPANI ELECTRICITY CO.
BARIA & JAVERI.

Encs: as above.

TSR.

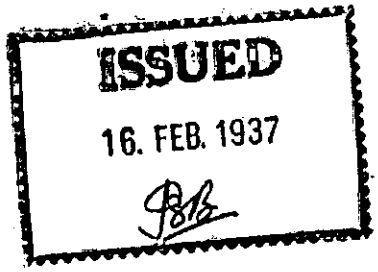
1104/36

306)

Acknowledged.

SRG
16-2-37

Issue admt return
16/2




N(SO)
16/2

O.N.

Copies of the newspaper containing the advertisement of the draft license may be awaited. In the meantime the draft put up may issue.

SRG
19-2-37

N(SO)
17/2
16/2

12-2-37)

3067

No. 1104/36 -M.
Public Works Department,
B.C., 23 February 1937.

The Nipani Electric License.

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A receipt No. P/7 dated 9th Feb. 1937 for Rs.500/- issued by the Reserve Bank of India, being the amount of fee paid into the Bank by the Nipani Electricity Coy, under rule 9(1)(g) of the I.E.Rules, 1922, on an application for a license under the I.E.Act, 1910, to supply electrical energy to the town of Nipani, is forwarded herewith, to the A.G., Bombay, with a request that the amount may kindly be credited to Govt. in accordance with the orders issued in letter No.757-Elec., dated 10-6-1905 from the G. of I., Deptt. of Rev. & Agriculture (Civil Works), a copy of which was forwarded to him with Govt. Endt. No.E.1710-M, dated 30-6-1905 and that its receipt may kindly be acknowledged.

By order of the G. in C.

19-2-37

D.A.- Receipt referred to.

ISSUED
4. FEB. 1937

(pp. 15-18 destroyed
~~Advertisement~~
Publication of
Nipani Rl. License)

# THE NIPANI ELECTRICITY CO.,

17 B, ELPHINSTONE CIRCLE,

TELEPHONE No. 20704.

BOMBAY, 27th February 93 7.

Ref. No. NIP/

The Joint Secretary to Government,
Public Works Department,
BOMBAY

Dear Sir,

RE : NIPANI ELECTRIC LICENSE APPLICATION

p.15 We beg to enclose herewith a copy of the first notice published in the "TARUN BHARAT", as per Rule 10 of the Indian Electricity Act. The other two issues will be forwarded to you in due course.

Yours faithfully,

For Nipani Electricity Co.

Encl: As above.
BGP/RSJ.

PUBLIC WORKS DEPARTMENT
File No. 1104/36
MAR 1937
Serial No. 4463

1104/36
4463

(R.B.) Submitted.

2. According to rule 13(1) of the I.E. Rules, 1922, the applicant for a license under the I.E. Act, shall, within fourteen days from the submission of the application under rule 9, publish notice of his application by public advertisement. The Nipani Electricity Co. have submitted their application on 8th Feb. 1937, p. 9 and the first advertisement p. 15 of the draft license published by them has appeared in the newspaper "Tarun Bharat" dated 23rd Feb. 1937 i.e. after one day's delay. The applicants have failed to comply strictly with the provisions of the rule referred to above and they will have to submit a fresh application and follow the procedure afresh if they intend to proceed further in the matter. As, however, the present application is for a formal conversion of

⊕ p. 83 — Means Book

T104/36
4463

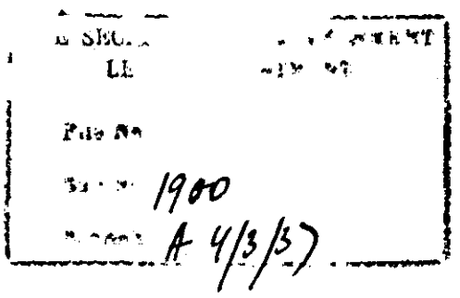
the existing sanction under section 28 of the Act into a regular license and the newspaper in which the notice is published is a weekly paper, the one day's delay that has occurred in the present case may be overlooked and the provisions of rule 13(1) of the I.E. Rules may be considered as technically complied with. The R.A.R. may see no.

& ✓ 214 - Licenses, Work

∝ ✓ 283 - [illegible]

JRL
3.3.37

As on O.N.




L.J.(JRL)

No. to R.L.A. 3/8/37

Office of the R.L.A.

As the advertisement in the present case has been published after the period prescribed in rule 13, it would be proper to require the applicants to make a fresh application before Government sanction the grant of the licence.

Remembrancer of Legal Affairs.

U.R.to the P.W.D.,No. 1294, dated the 8th March 1937.

M.

...RES DEPARTMENT
1104/36
8 MAR 1937
Serial No. 4877

(N.B.) Submitted. p. 23

2. In view of the opinion given by the R. L. A the draft letter sent up may issue.

SRG
10-3-37

1104/36
4877

No.1104/36-M.
P.W.D., B.C., 11 15 March 1937.

To

Messrs: Baria and Javeri,
C/o The Nipani Electricity Co.,
17-B, Elphinstone Circle,
Bombay.

Subject: Nipani Electric License.

Dear Sirs,

With ref. to the correce. ending with your letter p.19 no.NIP/ dated 27-2-37, on the subject mentioned above, I am directed by the G. in C. to invite your attention to rule 13(1) of the I.E.Rules, 1922, which requires that an applicant for an electric license shall publish notice of his application by public advertisement within fourteen days from the submission of the application. Your application p.7 for the Nipani El. License is dated 8-2-37 while the notice thereof has been published by you for the first time in the issue p.15 of the "Tarun Bharat" dated 23-2-37 i.e. after one day's delay. As you have failed to comply with the provisions of the aforesaid rule 13(1) of the I.E.Rules, Govt. are unable to proceed further with your application. You are accordingly requested to submit a fresh application and advertise the draft license afresh strictly in accordance with the provisions of the rule quoted above.

Yours faithfully,

8 p 283 - Issues Book

ISSUED
12. MAR. 1937

D.A.- Nil.

G.J.P.
9-3-37

10-3-37

10/3.

10/3.

Telegraphic Address—ACCOUNTS.

A. G. 37.

It is requested that, in future communications on this subject, the No. and date of this letter, and the distinguishing letters above the No. as given opposite, may be quoted, *and the reply addressed to*—

THE ACCOUNTANT-GENERAL,
FORT, BOMBAY.

No. D.A.IX.S.C./2509.

*Bombay, the* 22 March *193* 7

*From*

*The Accountant-General,*

*Bombay,*

*To*

The Secretary to Government,
Public Works Department,
B O M B A Y.

*Subject :—* The Nipani Electric License.

*Sir,*

I have the honour to acknowledge receipt of Chalan No.P/7, dated 9th February 1937 for Rs.500/- paid by the Nipani Electricity Company into the Reserve Bank of India which was forwarded to this office under Government Public Works Department Memo No.1104/36-M, dated 23rd February 1937 and to state that the credit has been verified and accounted in the accounts of this office for February 1937 under the head XXX Civil Works -Miscellaneous.

I have the honour to be,
Sir,
Your most obedient servant

Assistant Accounts Officer.

HVS.

PUBLIC WORKS DEPARTMENT
File No. 1104/36
22 MAR 1937
Serial No. 5832

W.S. 23/3

p. 25
Await.

SRG
25-3-37

26/3/37.

file to D.S.
10/3 attn.

A.S.

# THE NIPANI ELECTRICITY CO., =

17 B. ELPHINSTONE CIRCLE.

TELEPHONE No. 20704.

*Ref. No.* NIP/

BOMBAY, 23rd March 1937.

The Deputy Secretary to the Government,
Public Works Dept,
BOMBAY

Dear Sir,

RE : NIPANI ELECTRIC LICENSE

With reference to your letter No.1104/36-M of 11th inst,, we beg to apply afresh, as required therein, for the Nipani Electric License.

The draft License will be advertised afresh in a local paper in accordance with the Rules.

We forward herewith 6 copies in print of the draft License.

A challan for Rs.500/- as license fee has been already forwarded with our application of 8th February 1937.

We trust that Government will be pleased to grant us the necessary License at an early date.

Yours faithfully,

FOR THE NIPANI ELECTRICITY CO.

Encl: 6 Copies of
Draft License.

BGP.

WORKS DEPARTMENT
No. 1104/36
23 MAR 1937
Serial No. 5944

31-34
destroyed
being duplicate

Acknowledged.

SRY
27.3.37.

Issue & return
27/3

ISSUED
30. MAR. 1937

O.N.

The receipt of the copies of the newspaper containing the advertisement of the draft- licence may be awaited.

SRY
31-3-37

1/4/37.

ft J.

# THE NIPANI ELECTRICITY CO.

17 B, ELPHINSTONE CIRCLE.

TELEPHONE No. 20704.

BOMBAY, 30th March 193 7.

*Ref. No.* NIP/-

The Joint Secretary to Government,
Public Works Department,
BOMBAY

Dear Sir,

RE : NIPANI ELECTRIC LICENSE APPLICATION

We beg to enclose herewith a copy of the -- first notice published in the "TARUN BHARAT", as per Rule 10 of the Indian Electricity Act. The other two issues will be forwarded to you in due course.

Yours faithfully,

For Nipani Electricity Co.

Encl: As above.
BGP/RSJ.

PUBLIC WORKS DEPARTMENT
File No. 1104/36
31 MAR 1937
Serial No. 6260

(M-S) Submitted.

2. The receipt of the remaining two issues of the newspaper containing advertisement regarding the draft bill may be awaited.

5-4-37

25/4/37

A.S.

# THE NIPANI ELECTRICITY CO.,

17 B, ELPHINSTONE CIRCLE,

TELEPHONE No. 20704.

BOMBAY, 7th April 193 7.

*Ref. No.* NIP/

The Joint Secretary to Government,
Public Works Dpt.,
BOMBAY

Dear Sir,

RE : NIPANI ELECTRIC LICENSE APPLICATION.

We beg to enclose herewith a copy of the second notice published in the "TARUN BHARAT", as per Rule of the Indian Electricity Act. The other one issue will be forwarded to you in due course.

Yours faithfully,

FOR NIPANI ELECTRICITY CO.

Encl: As above.
BGP/RSJ.

UBLIC W[illegible]
File No. 1104/36
- 8 Apr 1937
Serial No. 6788

Copy of Newspaper

mss. 5/4

mss
8.4.37

# THE NIPANI ELECTRICITY CO.,

17 B. ELPHINSTONE CIRCLE.

TELEPHONE NO. 20704.

BOMBAY, 8th April 1937.

*Ref. No.*, NIP/-

The Joint Secretary to Government,
Public Works Dept.,
BOMBAY

Dear Sir,

RE : NIPANI ELECTRIC LICENSE APPLICATION.

We beg to enclose herewith a copy of the Third notice published in the "TARUN BHARAT" , as per Rule 10 of the Indian Electricity Act.

Yours faithfully,

FOR NIPANI ELECTRICITY CO.

Encl: As above.
BGP.

PUBLIC [illegible] PARTMENT
File No. 1104/36
- 9 APR 1937
Serial No, 6796

9/4

(M.B) Let a letter into the necessary draft for approval.

12-4-37
13

9.4.37.

Urgent.

1104/36
6996

No.1104/36-M.
P.W.D.
B.C., 14th April, 1937.

To
Messrs. Baria & Javeri,
C/o The Nipani Electricity Coy.,
17-B,Elphinstone Circle,
Bombay.

Dear Sir

Nipani El. License.

....

With ref. to the correspondence ending with your letter No.Nip/39 dated 8.4.37 on the subject mentioned above, I am directed to state that according to rule 15(3) of the Indian Electricity Rules, 1937, the advertisement regarding a draft license has to be inserted in at least three successive issues of a newspaper. In the present case, the advertisement has been published by you in the issues of the weekly newspaper "Tarun Bharat" dated the 23rd March, and 31st March (extra issue) and 6th April 1937. I am to enquire whether there was any issue of the paper on Tuesday the 30th March 1937, and if so, why the advertisement was not inserted therein.

Yours faithfully,

C.J.P.
12.4.37.

ISSUED
15. APR. 1937

# THE NIPANI ELECTRICITY CO.,

17 B. ELPHINSTONE CIRCLE.

TELEPHONE No. 20704.

BOMBAY, 16th April 193 7.

*Ref. No.* NIP/-

The Deputy Secretary to the Government of Bombay,
Public Works Department
B O M B A Y

Dear Sir,

RE : NIPANI ELECTRIC LICENSE. 641

With reference to your letter No.1104/36-M dated 14th inst., we have to state that there was no issue of the "Tarun Bharat" on 30th March 1937.

Yours faithfully,

FOR THE NIPANI ELECTRICITY CO.

BGP.

PUBLIC WORKS DEPARTMENT
File No. 11.04/36
20 APR 1937
Serial No. 7375

14. Br. 20/4

(N.B.) Submitted with the necessary drafts for other

21-4-37.

N.B.
20-4-37
20/4/37

1104/36

(To be published in Part I of the B.G.G.).

---

No.1104/36.
P.W.D.,B.C., 22 April 1937.

Indian Electricity Rules, 1937.

NOTIFICATION.

The following notice published by Messrs. Baria and Javeri in the issues of the "Tarun Bharat" dated the 23rd and 31st March, and 6th April 1937 is republished:-

(Enter A to B on pp.31-33).

By order of H.E.the Govnr.of B'Bay.

1104/36 pc. 11/5/37.

Copy forwarded w.c. to the Commr. Southern Division, with a request that he will kindly favour Govt. with his remarks in the matter, after consulting the local authorities concerned.

By order of H.E.the Govnr.of B'bay.

D.A.-Copy of G.N.refd.to.

C.J.P.
21.4.37.

21-4-37

21/4.

ISSUED
NASIK
26. APR 1937

ISSUED
4. MAY 1937

(pp. 47-48 destroyed
S. no. 7552)

# PUBLIC WORKS DEPARTMENT.

Bombay Castle, 22nd April 1937.

No. 1104/36.—The following notice published by Messrs. Baria and Javeri in the issues of the *Tarun Bharat*, dated the 23rd and 31st March, and 6th April 1937, is republished :— INDIAN ELECTRICITY RULES, 1937.

## NOTICE.

NIPANI ELECTRIC LICENSE, 1936.

Whereas the Nipani Electricity Company have engaged in the business of supplying electric energy in the area of the Municipality of Nipani with the specific sanction No. 7291/27-M., dated 29th (23rd?) August 1934, granted by the Government of Bombay under section 28 of the Indian Electricity Act, 1910, as amended and whereas the electrical undertaking has grown in magnitude that it is considered that in order to possess the full rights of a license under section 3 of the Indian Electricity Act, 1910, as amended, it is necessary to obtain a license under the said section and

Whereas the Nipani Electricity Company have by an application dated 23rd March 1937 (application for a formal conversion of the said sanction into a license) applied to the Government of Bombay for an electric license to supply electric energy to the town of Nipani.

Notice is hereby given that every local authority, company or person desirous of making any representation with reference to the said application may do so by addressing the Secretary to the Government of Bombay, Public Works Department, Bombay, within three months from the date of the first advertisement 23rd March 1937, a copy of such representation at the same time being furnished to the applicants.

The draft of the license applied for is printed below. A printed copy of the license can be had at a price of annas 8 per copy and the deposited map mentioned in the license can be inspected free of charge at the office of the applicants at 17-B, Elphinstone Circle, Bombay, and at the office of the Nipani Municipality.

(Signed) BARIA & JAVERI,
*for* the Nipani Electricity Company.

NIPANI ELECTRIC LICENSE, 1936.

*License.*—License is hereby granted to Messrs. A. D. Baria and N. C. Javeri carrying on business under the name and style of the Nipani Electricity Company and having its office at 17-B, Elphinstone Circle, Bombay, to supply energy in the area with the powers and upon the terms and conditions specified below.

1. *Short title.*—The license may be cited as " The Nipani Electric License, 1936 ".

2. *Interpretation.*—In this license :—

(1) " Act " shall mean the Indian Electricity Act, 1910,

(2) " Rules " shall mean the rules made under the Act,

(3) " license " shall mean and include the said Nipani Electricity Company, and its permitted assigns;

(4) " deposited map " shall mean the plan of the area of supply as hereinafter specified, which is deposited with Government in pursuance of the rules, which plan is signed for the purpose of identification by the Secretary to the Government of Bombay in the Public Works Department and by the licensee;

(5) " the commencement of this license " shall mean the date of the notification by the Government of Bombay in the *Bombay Government Gazette* by which this license is granted;

(6) " Government " shall mean the Government of Bombay;

(7) words, terms and expressions not defined in this license but defined in the Act or Rules shall have the meaning assigned to them in the Act or Rules.

3. *Area of supply.*—The area within which the supply of energy is authorised by this license, hereinbefore and hereinafter referred to as " the area of supply " shall be the whole of the area comprised within the limits of the municipal district of Nipani which are shown as bounded by a red-coloured line on the deposited map.

4. *Area of compulsory supply.*—(1) Subject to the provisions of sub-clause (1) of clause 6 below, the licensee shall maintain to the satisfaction of Government full supply of energy throughout the streets or parts of streets as are mentioned below and shown in yellow colour on the deposited map :—

(1) Tambaku Market Road: from Belgaum-Poona Road (Kolhapur Road) to Tandul Peth.

(2) Tandul Peth and Dalal Peth: from Tambaku Market Road to Lohar Galli.

(3) Guruwar Peth: from the Junction of Dalal Peth to Bhagawan Galli.

(4) Salmai Galli; from Belgaum-Poona Road (Kolhapur Road) to the Junction of Dalal Peth.

(2) In the case of any difference between the description of the streets mentioned in sub-clause (1) of this clause and that indicated on the deposited map, the latter shall prevail.

5. *Revocation of license.*—If the licensee fails to comply with the provisions of sub-clause (1) of clause 4, the license shall be liable to be revoked.

6. *Purposes of supply.*—(1) Subject to the provisions of this license and the Act and the Rules, the licensee shall be entitled during the continuance of this license to supply, within the area of supply for all purposes, and in bulk and to other licensees for their own purposes:

Provided that the licensee shall within three months from the commencement of this license submit for the sanction of Government the following:—

(*a*) the form of requisition to be made by such owner or occupier or distributing licensee for such supply of energy;

(*b*) the form of written contract or agreement with the licensee to take a supply of energy to be executed or entered into by such owner or occupier or distributing licensee; and

(*c*) the amounts of all miscellaneous charges which the licensee proposes to make against such owner or occupier or distributing licensee, as incidental to or in connection with such supply.

(2) Clauses V, VI, VII, IX, X and XI of the Schedule to the Act shall, wherever necessary, be read as expressly added to or varied to the extent set out in the proviso to sub-clause (1) of this clause.

(3) The licensee shall not supply energy to any premises unless the owner or occupier of such premises has satisfied the licensee that all works, including repairs relating to electric wires, fittings and apparatus on such premises, have been carried out by licensed electrical contractor and under the supervision of a Competency Certificate holder under any rules or orders issued by Government in this behalf, or by such other person as may be authorised to carry out such works under rule 40-A of the Rules and clause VI of the Schedule to the Act shall be deemed to be modified accordingly.

7. *System of supply.*—(1) The system of supply of energy which may be adopted for the purpose of this license shall be following:—

*Alternating Current.*

Single or three phase, three or four wires, periodicity fifty cycles per second. The pressure of supply at the consumer's terminals shall be as under:—

(*a*) 230 volts between each phase and neutral for general purposes, viz. lights, fans, heaters and refrigerators;

(*b*) 400 volts between phases for motive power purposes and purposes other than those specified in (*a*) above; and

(*c*) any pressure up to 6,600 volts for feeders and for supply to any large consumer for power purposes.

Provided always that the licensee may from time to time with the previous consent in writing of and subject to such limitations and conditions as may be prescribed in writing by Government adopt any other system of supply for the purpose of this license and that no high tension mains shall be brought within or near the populated areas without the specific sanction of Government in each case.

(2) The feeders, distributing mains and service lines may be overhead or underground, provided that wherever and whenever specifically required to do so in writing by Government such feeders, distributing mains or service lines shall be laid underground.

Provided further that:—

(*a*) no work or works shall be commenced by the licensee unless and until the method of construction has been previously approved in writing by the Electrical Engineer to Government;

(*b*) where overhead mains are used, they shall be nowhere at a height less than thirty feet from the ground level of the streets at all crossings in all the routes where *raths* or *taboots* or other similar religious processions are likely to pass. In cases of dispute, such routes and heights shall be determined by the District Magistrate;

(c) in narrow lanes or streets the posts shall be placed on the extreme edge of the lane or street and a special construction, to be approved by the Electrical Engineer to Government, shall be adopted to keep the wires clear of every building;

(d) no posts for overhead lines shall be erected in streets or thoroughfares which are less than ten feet in width for vehicular traffic;

(e) and nothing in this license shall authorise the licensee to use overhead mains at any higher pressure than the medium pressure without the written sanction of Government in each case and subject to any condition or limitations which Government may prescribe.

(3) Due precautions shall be taken to avoid any possible interference with the adjacent telephone or telegraph circuits due to inductive effects. The electric wires shall be suitably transposed where necessary.

(4) For the purpose of rules 61 of the Rules the maximum wind pressure shall be taken as fifteen pounds per square foot.

8. *Generating, receiving, transforming, distributing stations.*—(1) The generating, receiving, transforming and distributing stations shall be within the area of supply. But the licensee shall be at liberty either to generate energy to satisfy the whole or any part of its requirements or to purchase the whole or any part of energy the licensee requires for distributing and resell the same within the area of supply. When energy is brought from outside the area of supply lines in accordance with the Act and the rules for the conveyance and transmission of energy from the point of bulk supply outside the area of supply to the boundary of the area of supply.

(2) Qualified men with at least competency certificates shall be employed in the generating station and on the distribution system and the whole undertaking shall be under the charge of a qualified engineer with previous experience of at least five years.

9. *Rates: Limits of prices to be charged.*—The prices to be charged by the licensee for energy supplied by the licensee shall not exceed the maxima set out below, or in the case of method of charge approved by Government under clause (c) of sub-section (3) of section 23 of the Act, such maxima as Government may fix on approving the method :—

(A) Where energy is supplied by meter :—

(1) For general supply purposes, viz—

(a) for lights and fans not provided for in item (b) below—a rate of annas six per unit;

(b) for lights and fans in religious charitable and educational institutions and hospitals—a rate of annas five per unit;

(c) for heating and refrigerating purposes—a rate of annas three per unit; and

(d) for motive power purposes and purposes other than those mentioned in item (1) (a), (b) and (c) above :—

Up to and including 3 K.W.—A standing charge of Rs. 3 per K.W. per mensem plus annas two per unit.

Over 3 K.W.—A standing charge of Rs. 3 per K.W. per mensem plus anna one and half per unit.

*Note.*—The term " unit " occurring in this sub-clause shall mean the energy contained in a current of 1,000 amperes flowing under an electro-motive force of one volt during one hour.

(2) A minimum charge of Rs. 3 per month in the cases referred to in items (a), (b) and (c) sub-clause (1) of this clause shall be charged exclusive of meter rent and irrespective of whether energy of that value has been consumed or not.

(3) *Meter rent.*—The rent to be charged for meter shall not exceed—Annas eight per month for a single-phase A.C. meter; and one rupee per month for a polyphase A.C. meter.

(B) Where energy is not supplied by meter, a fixed rate of rupee one and annas eight (1-8-0) per mensem shall be charged for a twenty-watt light and one rupee (Re. 1) for every additional twenty-watts or part thereof burning for not more than six hours per night.

(C) In the case of large consumers, contracts may be made for fixed periods at such rates not exceeding the rates specified in sub-clause (A) of this clause as may be agreed upon.

(D) Without prejudice to anything contained in the above clauses A, B, or C, the licensees may at any time enter into a special contract with the Municipality of Bhiwandi-Nizampur, for supply of energy to the said Municipality for public lighting upon such

1104/36



terms and conditions and at such rates not exceeding the maxima charges specified above as may for the time being be mutually agreed upon.

10. *Breaking up of Streets.*—The length of trenches to be opened on any street at any one time and the period for which they may remain open, shall be determined from time to time by Government or the local authority by which such streets are repairable.

11. *Purchase of the undertaking.*—(1) The option of purchase given by sub-section (*1*) of section 7 of the Act shall be exercisable first on the expiration of forty years from the commencement of this license and thereafter on the expiration of every subsequent period of ten years therefrom. The percentage of the value of the lands, buildings, works, materials and plant of the licensee referred to in sub-section (*1*) of section 7 of the Act which shall be added to such value under the second proviso to that sub-section on account of the compulsory purchase, shall be ten per cent.

(2) In accordance with clause (*d*) (*ii*) of sub-section (*2*) of section 3 of the Act, it is hereby declared that the generating station belonging to the licensee and used in connection with the undertaking or where energy is brought from any other person or company, the receiving and distributing sub-stations used in connection with the undertaking, shall form part of the undertaking for the purpose of purchase under section 5 or section 7 of the Act.

12. *Assignment of the license.*—At any time after the commencement of this license, the licensee may, with the previous consent in writing of Government and subject to compliance with such conditions upon which such consent may be given, assign this license and transfer the whole of the undertaking in respect of which this license is granted (including all lands, buildings, works, materials and plant of the licensee) to any individual or company formed or to be formed and registered in the Bombay Presidency in accordance with the law for the time being in force in British India, or in Great Britain under an enactment relating to companies for the time being in force there and having authority to take over the license and the said undertaking as the case may be, and to exercise the powers, and perform the obligations given to or imposed upon the licensee under this license and the Act and the rules, and on such assignment and transfer the rights, powers, authorities, obligations and liabilities of the licensee shall be exercisable by and shall attach to such individual or company formed or to be formed as aforesaid.

13. *Exemption from security.*—In pursuance of clause (*f*) of subsection (*2*) of section 3 of the Act, it is hereby expressly declared that clause I of the Schedule to the Act shall be excepted from incorporation in this license.

Dated this day of one thousand nine hundred and thirty.

By order of His Excellency
The Right Honourable the Governor of Bombay (in Council),

Secretary to the Government of Bombay,
Public Works Department.

By order of His Excellency the Governor of Bombay,

T. A. ANDREW,
Secretary to Government.

Skeleton 1-7-37

Subject: Nipani Electric License.

---

No.M.S.C.

Belgaum, 14 July 1937.

From

R.S. Hiremath, Esq., L.Ag.,

Collector of Belgaum;

To

The Commissioner, Southern Division,

Belgaum.

Sir,

Reference your No.M.S.C. 291 of 7-5-1937 on the subject noted above.

I have the honour to state that the Nipani Municipality has no objection to grant Electric license to the Nipani Electricity Co. but its only objection is that the period of 40 years mentioned in condition No. 11 of the draft license should be reduced to 20 years, as the period of 40 years is too long.

There is some force in their argument. I think it may be reduced to 30 years. In the case of Belgaum City license, the period fixed is also 40 years. The applicants for the license are entitled to ask for the maximum period of 50 years prescribed in section 7(1) of the Act.

Your most obedient servant,

Collector of Belgaum.

---

K.

No. M.S.C.291.
Office of the Commissioner, S.D.
Belgaum, 19th July 1937.

Submitted to Government in the P.W.D. with reference to their memorandum No. 1104/36-M, dated the 1st May 1937.

2. The Commissioner agrees with the Collector.

Commissioner, S.D.

RSB.

PUBLIC WORKS DEPARTMENT
File No. 1104/36
28 JUL 1937
Serial No. 14021

(M.S) Submitted.

2 The El. Engr. to Govt.

may now be requested to furnish a revised drawing of the licence together with the deposited map in triplicate in the form in which it should be granted to the applicants.

22-7-37.

26 JUL. 1937

D.S.

Note. The file was received back from the El Engr to Govt with his No LRM 30/1809 of 13-8-37

W.O. to El Engr to Govt, of 24-7-37

20-7-37

ELECTRIC ENGINEER
Inwd. No. 1564.
File No. LR.0125
P. W. D. BOMBAY

TELEGRAMS:-
"CONELECTRO."

TELEPHONE:-
20704.

# THE CONSOLIDATED ELECTRIC AGENCIES LIMITED.

AGENTS:- THE AJMER ELECTRIC SUPPLY Co., LTD.
THE AMALGAMATED ELECTRICITY Co. (BELGAUM) LTD.
17-B ELPHINSTONE CIRCLE,
BOMBAY.

CONTROLLING:—
THE BELGAUM ELECTRICITY Co., LTD.
THE JALGAON ELECTRIC SUPPLY Co., LTD.
THE BULSAR ELECTRICITY Co., LTD.
THE BHUSAWAL ELECTRICITY Co., LTD.
THE BHIWANDI ELECTRIC SUPPLY Co., LTD.
THE MALEGAON ELECTRICITY Co., LTD.
THE CHALISGAON ELECTRICITY Co.

POST BOX No. 879.

REF. CON/NIPANI.

DATED 8th November '37.

The Deputy Secretary to Government,
Public Works Department,
BOMBAY.

Dear Sir:

RE: NIPANI ELECTRIC PERMIT:

We refer you to our application dated 8th February 1937 in connection with the above requesting you to grant us a License in exchange of the present permit granted to us for the electrification of Nipani. As we have not yet received the Licenses requested for, we shall be most grateful if you will expedite the matter as much as possible.

Thanking you,

Yours faithfully,
The Consolidated Electric Agencies Ltd.

Managing Director.

TSR.

1104/36

(M-B) Secretaries

2 All banking cases regarding electric licences are to be considered further after a decision is arrived at on the conditions ⊛ proposed by Hon. F.D for inclusion in future licences. This case may be held over for the present & dealt the applicants informed as per draft put up.

⊛ See file No 1932/36 under Govt to Govt & R.L.A.

12-11-37

PUBLIC WORKS DEPARTMENT
File No. 1104/36
9-NOV1937
Serial No: 22112

9-11-37

12/11

1104/36
22-112

No. 1104/36-Ma
P.W.D.

B.C. 15 Nov 1937

To

Messrs Baria & Jamri
c/o The Nipani Electricity Co.
17-B Elphinstone Circle
Bombay

Dear Sirs,

Nipani Electric Licence

With reference to letter
p 55
No. Con/Nipani dt 8-11-1937
from the Consolidated Electric
Agencies Ltd, I am directed to
state that the question of
granting the licence mentioned
above is still under consideration
and that it will be some
time yet before orders are issued

Yours faithfully

12-11-37.

15/11/37.

A-S.

17/11/37

15/11/37

ISSUED
18. NOV. 1937

(Pp. 59-74 destroyed
S. nos. 1881, 5280, 7291, 11466,
& 19293. Reminders.
Interim replies d/15/3/38,
27/5/38. & O.N. d/22/8/38 awa
decision).

No.1932/36. M.

Public Works Department.

Bombay Castle, 30th September 1938.

From

R.H.Hammett,Esquire,M.Inst.C.E.,I.S.E.,
Deputy Secretary to the Government of Bombay,
Public Works Department.

To

Messrs. Baria and Javeri,
17-B Elphinstone Circle,
Fort, Bombay.

Subject:- Nipani Electric License.

---

Dear ~~Sir~~/Sirs,

P 29

With reference to your application dated the 23rd March 1937 for the grant of the license mentioned above,I am directed to forward herewith a copy of the revised Press Note, dated the 21st September 1938, issued by Government embodying certain new conditions which they have decided to impose in the case of every electric license to be granted hereafter and to enquire whether you are prepared to accept these conditions, should Government decide to grant the license to you.

Yours faithfully,

Deputy Secretary to the Government of
Bombay,Public Works Department.

D.A.-Copy of the revised Press Note
referred to.

B.K.R.
30-9-38.

1938
3099/38

# THE NIPANI ELECTRICITY CO.,

17 B. ELPHINSTONE CIRCLE.

TELEPHONE No. 20704.

BOMBAY, 12th October 1938.

*Ref. No.* NIP/

The Deputy Secretary to Government,
Public Works Department,
BOMBAY.

Dear Sir:

RE: NIPANI ELECTRIC LICENSE: 175

With reference to your letter No.1932/36M dated 30th ultimo, forwarding to us a copy of the revised press note of 21st ultimo, we have to state, we hold a permit under Section 28 of Indian Electricity Act and the present application before Government is merely to convert the permit into a license as desired by Government. We have invested money all along considering that conversion of the permit on the terms then usually adopted and approved for all the Licenses for town supply. We had not then the new conditions before us nor a sudden departure from the policy existing since the beginning of this industry was anticipated by us.

The Government have the power and authority under the act to issue Licenses on any terms and conditions. But we have been all along acting under the notion that permit will be as a matter of routine converted into a license on the usual terms and such a belief has been our sole guide.

Regarding the profit distribution thereon, Government

can under the act regulate the maxima rates so as to keep the profits within the necessary limits. The consumers can most emphatically share the benefit from the undertaking in the shape of reduction in ~~reducing~~ the charges instead of getting it in the form of distributed profits.

We trust Government will not, under the circumstances, impose the terms narrated in the press note under reference as the Works have been completed prior to contemplation of the said terms.

We hope Government will be pleased to grant us the License on the terms and conditions applied for.

Yours faithfully,

Tata & Sons

TSR.

2m824/7

PUBLIC WORKS DEPARTMENT
File No. 1104/36
13 OCT 1938
Serial No. 23084

2m3 14/10

2m3
13-X-38

14/10

1104/36
23084.

M.B.

Submitted.

2. For the reasons stated in their letter pp 77-79 within Messrs Batia & Javeri request p 79 Govt. that the new conditions may not be imposed in their case. They may be informed as per draft put up for approval and submission.

Gal
31-10-38

30/10/38

1104/36

(Pp. 83-84 destroyed
Copy off p. 82)

No. 1104/36-M.

P.W.D.

B.C., Nov. 1938.

To

Messrs. Batia & Javeri,
c/o The Nipani Electricity Coy.,
17-B, Elphinstone Circle,
Bombay.

Subject:- Nipani El. license.

Dear Sirs,

With ref. to your letter
No. NIP, dt. the 12-10-38 (on the subject noted above) I am
directed to state that Govt. do not
see any reason to exempt your
Coy. from the application of the new
conditions issued in Press Note dt. the
21-9-1938 and communicated to
you with G.L. No. 1932/36-M, dt. the
30-9-1938.

Yours faithfully,

Encl. nil.

31-10-38.

Submitted
H.M. P.W.D.

ISSUED
14 NOV 1938

H.M.P.W.D.

# THE NIPANI ELECTRICITY CO.,

17 B. ELPHINSTONE CIRCLE.

TELEPHONE No. 20704.

BOMBAY, 23rd January 1939.

*Ref. No.* NIP/

The Hon'ble Mr. M. Y. Nurie,
Minister of Public Works Dept.,
Government of Bombay,
BOMBAY.

Dear Sir,

RE: NIPANI ELECTRIC LICENSE.

We beg to approach you with the following representation with reference to the grant of the License. The Government by their letter No.1104/36 M dated 11th November 1938 -- (copy enclosed) informed us that the License could be granted unless the new conditions of the Press Note, dated 21st September 1938 were accepted by us.

We beg to appeal to you from the decision conveyed to us in the above letter on the following grounds :-

We got the permit under Sec.28 of the Indian Electricity Act, from the Government of Bombay in August 1934, to supply electrical energy within the Municipal Limits of the Town of -- Nipani. In August 1936 we completed the works and we have been supplying energy since then. We applied for the permit as the grant of a License takes longer time and as the area of the -- town was small and as the permit used to be generally converted into a License at a later stage. Such a conversion used to be applied even after a lapse of 4 or 5 years from the grant of the permit.

Government by their letter No.1932/36 M dated 30th September 1938, communicated to us that the Government had decided to impose certain new conditions in case of every electric license to be granted after that date. We wrote to Government that our application pending before them was submitted merely to convert the permit into a license and that all our investments were made with the understanding that the conversion of the permit would be granted on the terms then usually adopted and approved for Licenses for town supply. The new conditions had not been before us nor had we any inkling thereof.

Inspired by a confidence that the permit would be converted into a license on the terms then usually adopted we invested large funds, completed the works and started supply.

It is not at all our contention that the Government -- have not the necessary authority or the power to impose conditions which they think fit in a license but we beg to submit that if - these conditions had been then before us we might not have made the investments into the concern which we did under the notion that the permit will be converted into a license as a matter of course on - the conditions and the terms then in vogue.

We on our part have carried out all our obligations under the permit.

To agricultural and industrial consumers we have been always showing great and due sympathy and thus we have been following all through out the policy to encourage both the industry and agriculture.

Under the circumstances we request you to please not to impose the terms narrated in the Press Note under reference as the Works have been completed long before the contemplation of the said terms. We, therefore, appeal to you to please grant us the license on the terms and conditions applied for.

Yours faithfully,

Bania Jamerise

Enc: 1 copy.

BGP/

Please report

24/1

PUBLIC WORKS DEPARTMENT
File No. 1104/36
25 JAN 1939
Serial No. 2376.

25.1-39

M.B.

Submitted with ref. to H.M., P.W.D's orders within.

2. Messrs. Baria and Javeri at present hold the sanction under Sec. 28 of the I.E Act, 1910, to supply electric energy with in the Munl. district of Nipani vide G.N. No. 7291/27, dated the 23-8-1934. They hav applied for a regular license under Sec. 3 of the Act in lieu of the sanction under Sec. 28 of the Act at present held by them. The Nipani Muny., the Collr. of Belgaum and the Commr., S.D., have no objection to the grant of the license to the Nipani Electy. Coy. The Nipani Muny. however suggests that the period for the exercise of the option of purchase of the undertaking provided in clause 11 of the draft license should be reduced from 40 to 20 years. The Collr. recommends that the period be reduced to 30 years. The Commr. agrees with the Collr. The suggestion made by the Muny. pertains to the details of the license and will be taken into consideration by the El. Engr. to Govt. at the time of preparing the draft license.

3. Messrs. Baria and Javeri were asked to state whether they were prepared to accept the new conditions issued by Govt. in the Press Note, dated the 21-9-38, should Govt. decide to grant the license to them, vide G.L.No. 1932/36-M, dated the 30-9-38. In reply they requested to be exempted from the imposition of the new conditions for the reasons enumerated in their No. NIP, dated the 12-10-1938.

In

1104/36

In G.L.No.1104/36-M, dated the 11-11-1938, they were informed that Govt. did not see any reason to exempt their Coy. from the application of the new conditions. They have again made the same request to H.M., P.W.D. In other similar case Govt. has decided not to exempt the Coys. from the applicn. of the new conditions. In the circumstances, it is for consideration whether the Coy. may be informed that their request cannot be granted. The necy. draft will be put up on receipt of orders silicited above.

B.K.R.
6-1-39.

6-2-39

The Sec. Exp. to Govt. has ? & their dealt with a similar case in earlier file. Whatever decision is adopted in one case should apply to all. If case should therefore be disposed of early before this one is submitted further.

1104/36

M.B.

Submitted with ref. to the notes on pp. 91-92 ante.

2. It has since been decided in file No. 2524/36 that in the case of conversion of sanction into a license the new conditions are to be dispensed with. In view, therefore, of the facts stated in para. 2 of the O.N. dated the 13-2-39, the license in question may be granted to Messrs. Baria and Javeri. The El. Engr. to Govt. may be requested to prepare the draft license in triplicate and submit it to Govt. together with a map of the area of supply in triplicate in the form in which it should be forwarded to the applicants for acceptance.

B.K.R.
8-3-39.
126

8.3.39.

9/3

Orders have again been changed. El Engg may state what has been decided in such cases

10/3

El. Engr to Govt. to see U.O. & apply all Engg's instructions

10/3

U.O. to the Elec. Engr to Govt.

10/3

M.B.

Submitted together with Srl.Nos.2836 and 3544 with reference to the office note dated the 30-1-1939.

2. Messrs.Shroff and Coy.hold sanction under Sec.28 of the I.E.Act, 1910, to supply electrical energy to the town of Dohad vide Govt.Notificn.,No.8335/27,dated the 18-2-1936. At the instance of Govt. the Coy. have applied for a regular license under section 3 of the Act, innlieu of the sanction under section 28 of the Act, at present held by them.

3. The Dohad Muny.,the Collr.of Broach and Panch Mahals and the Commr.,N.D.,have no objection to the grant of the proposed license to Messrs.Shroff and Co. Besides the Dohad Muny.the Taluka Local Board, Dohad, is also concerned and the Commr.has been asked to obtain the views of that local authority also and communicate them with his remarks to Govt. as soon as possible, vide Govt.memo.No.2524/36-M,dated 8-11-1938. The Commr's reply in the matter is awaited. The Coy.were asked whether they were prepared to accept the new conditions of the Press Note,dated the 21-9-1938, should Govt. decide to grant the license to the Coy. They asked for three weeks extension for furnishing a reply. The Coy.'s request was granted and they were asked to intimate to Govt. whether they were prepared to accept the new conditions by the 5-2-1939,without fail.

4. The Coy. have now submitted their representation to the H.M.,P.W.D. in the matter.

matter. For the reasons stated in their representation the Coy. request that the new conditions may not be made applicable to them. In the circumstances reported in paras. 2 and 3 of his endt. No.L.76/3699, dated the 13-2-1939, the El.Engr.to Govt. states that in the case of Dohad and other places for which sanctions under Section 28 have been granted before the terms of the Press Note were published and which sanctions are now to be converted into proper licenses, Govt. need not necessarily insist on the new terms being accepted.

5. The following Supply Coys.were asked to apply for a regular license under Section 3 of the I.E.Act, 1910, in lieu of the sanction under Sec.28 of the Act, at present held by them viz.-

(1) The Panchgani El.Supply.Co.(File 1757/36
(2) The Yeola " " Co.(file 2282/36)
(3) The Haveri " " " (file 1867/36)
(4) The Sangamner " " " (file 2663/36).
(5) The Nipani " " " (file 1104/36)
(6) The Dohad " " " (file 2524/36)
(7) The Ilkal " " " (file 9091/27)
(8) The Sinnar " " " (file 1233/36).

The Coys. Nos.(1) to (6) have applied for a regular license. The Coys. Nos.7-8 have promised to submit their applications for a license after some time. The Coys.Nos. (1) to (4) have accepted the new conditions of the Press Note, dated the 21-9-1938 with reluctance. The Dohad and the Nipani El.Supply Coys.have not accepted the new conditions. In view of the circumstances stated in para.4 above, it is for consideration

consideration whether the application of the new conditions may be dispensed with in the case of conversion of sanction into a license. The decision arrived at on these papers will be applied uniformly in all such cases irrespective of the fact whether certain of the Coys.have accepted the new conditions or not.

Id.U.A.P.
16-2-39.
Id.R.S.S.
21-2-39.

Submitted for orders on the suggestion of the El.Engr. to Govt. shown underlined in para.4 of the Office Note. I think personally we should insist on the acceptance of the new term, it is the aim of Govt. to bring all such Coys. into line whether old or new and if the new conditions are reasonable, and presumably Govt. considers that such is the case, there seems no harm in enforcing them on existing Coys. when suitable opportunities arise.

Id.R.H.H.
21-2-39.

In view of the reasons put forward in the El.Engr's letter I don't consider Govt. should insist in these few cases.

Id.C.E.A.
22-2-39.

H.M.P.W.D. 24.2.39.

D.C.E.A
28.2.39

M.B.

Submitted with ref. to the notes on pp. 135-138 ante.

2. In view of the Secy's note concurred in by H.M., P.W.D., it is presumed that the application of the new conditions is to be dispensed with in the case of conversion of sanction into a license in case of all the supply Coys. mentioned in para. 5 of the Office Note dated the 21-2-1939. The Panchgani, Yeola, Haveri and Sangamner El. Supply Coys. have accepted the new conditions with reluctance and the papers on the Panchgani and Haveri electric licenses have been referred to the El. Engr. to Govt. for preparing the draft licenses etc. in the forms in which they should be forwarded to the applicants for acceptance. The El. Engr. to Govt. may see these papers on the point.

x x x x x

Id. U.A.P.
1-3-39.
Id. R.S.S.
3-3-39.

Id. R.H.H.
3-3-39.

Id. C.E.A.
3-3-39.

Below U.O.R.No.2524-36/4551, dated the 4th March 1939, from Government in the Public Works Department.

---

No.L.76/4097 of 1939.
Bombay, 15th March 1939.

Returned, with compliments.

2. In confirmation of my discussion with H.M., P.W.D. and in accordance with his note in the margin on page 142, Messrs. Shroff and Company may be granted a license in lieu of the present sanction, provided they submit to Government the terms o. the agreement, if any, between the Managing Agents and the Electric Supply Company, in relation to the working of the proposed license, and agree to any modifications therein which Government may suggest, as also to the following clause as drafted by the Remembrancer of Legal Affairs which is to be embodied in the license, as a condition precedent to the grant of the license:-

> "14. Agreement between the Licensee and the Managing Agents. The licensee shall not enter into an agreement with Managing Agents, if any, or make any modifications to such agreement already entered into, unless with the previous consent in writing of the Government. The Government shall also have the right to examine any agreement between the licensee and the Managing Agents, if any, and torequire suitable modification therein as a condition precedent to Government granting any consent as required by Section 9 (2) of the Act."

3. It is suggested that all the sanction holders mentioned in para.5 on page 136 be treated in the same manner and that they be addressed accordingly, with a request to submit to Government the terms of the Managing Agency, if any, for the acceptance of Government. Files Nos.1867/36, 1757/36 and 96/36 in this office are sent herewith for necessary actio..

4. Messrs.Shroff and Company may be given provisional permission to extend their lines, as applied for, provided ~~three~~ they agree to the following conditions:-

(1) Their new works are duly passed by the Electric Inspector, Bombay Province;
(2) The new supply lines are removed, in the event of a license being not granted;
(3) The terms of Managing Agency, if any, are approved by Govt.

5. As Govt. have not as yet given their consent to the assignment of the sanction granted to Messrs.Shroff & Company, to the Dohad Electric Supply Coy.Ltd., the sanction holders should be requested not to correspond in the name of the Dohad Electric Supply Co.Ltd., until such time as the consent to the assignment is granted.

Sd.R.G.Nigham,
Electrical Engineer to Govt.

Below U.O.R.No.1104/36 dated the 11th March 1939, from Government in the Public Works Department.

---

No. L.76/4098 of 1939.

Bombay, 15th March 1939.

Returned, with compliments. This case may be treated in the same way as Dohad, the file for which has been returned under this office No. 175 L.76/4097 dated the 15th instant.

Electrical Engineer to Govt.

709

1104/86

PUBLIC WORKS DEPARTMENT
File No. 1104/86
16 MAR 1959
Serial No. 6942

16/3

MB 17/3

MB
16-3-59

17/3

No.~~2584~~ 1104/36. M.
Public Works Department.
Bombay Castle, 3rd April 1939.

From

R.H.Hammett,Esquire,M.Inst.C.E.,I.S.E.,
Deputy Secretary to the Government of Bombay,
Public Works Department.

To

**Messrs.Baria & Javeri,**
**C/o The Nipani Electricity Coy.,**
**17-B,Elphinstone Circle, Fort,Bombay.**

Subject:- **Nipani** Electric License.

---

Dear Sirs,

With reference to your application dated the **23rd March 1937** for the grant of the license mentioned above, I am directed to state that Government proposes to incorporate the following clause into your license as a condition precedent to the grant of the license and to enquire whether you are prepared to accept the clause should Government decide to grant the license to you:-

"14. Agreement between the Licensee and the Managing Agents.- The licensee shall not enter into an agreement with Managing Agents,if any,or make any modifications to such agreement already entered into, except with the previous consent in writing of the Government. Government shall also have the right to examine an agreement between the licensee and the Managing Agents,if any,and to require if necessary suitable modification therein as a condition precedent to the granting by Government of any consent as required by Section 9 (2) of the Act. "

2. I am also to request you to submit to Government the terms of the agreement ,if any,between the Managing Agents and the Electric Supply Company in relation to the working of the proposed license for the acceptance of Government.

Yours faithfully,

4/4 O/C

Deputy Secretary to the Government
of Bombay,Public Works Department.

D.A.-Nil.

Copy forwarded,with compliments,to the

Electrical Engineer to Government with reference to his

No.L.76/4097, dated the 15th March 1939.

B.K.R.
3-4-39.

ISSUED
4 APR. 1939

# THE NIPANI ELECTRICITY CO.,

17-B. ELPHINSTONE CIRCLE.

TELEPHONE No. 20704.

BOMBAY, 28th April 1939.

*Ref. No.* NIP/

The Deputy Secretary to Government,
Public Works Department,
BOMBAY.

Dear Sir,

RE: NIPANI ELECTRIC LICENSE. 6107

With reference to your letter No.1104/36-M dated 3rd inst., we are prepared to accept the clause narrated therein re.agreement between the Licensee and the Managing Agents.

With regard to para 2, appointment of Managing Agents is not contemplated for the present.

We beg to request Government to expedite the grant of the license.

Yours faithfully,

Bania Jamnadas

BGP/

1104/36
10570

M.B.

Submitted.

2. File 1104/36 has been put up as f.p. with file S.92/8949, Regd. w.o. to the El. Engr. to cont. on the 28-4-39. This will be resubmitted when the main file becomes available.

Regd
6-5-39.

6/5/39.

File put up with S 92-18949
28/4/39

28/5/39

2/6/39

A.S.

PUBLIC WORKS DEPARTMENT
File No. 1104/36
29 APR 1939
Serial No. 10570

29-4-39

1104/36.

Resubmitted with reference to the b108 on. dated the 5-5-39.

2. Messrs Baria & Jhaveri have agreed to the incorporation b107 in the license to be granted to them of the clause re. agreement between the licensee and the Managing Agents. The papers may now be referred u.o. to the El Engr to Govt. for the preparation and submission in triplicate of the draft license together with a map showing the area of supply, in the form in which the license should be granted to the applicants

G.R.
5-6-39

d/6

u.o. to the Elec. Engr. to Govt.
d/6

to Dy Secy

u.o. to El. Engr. to Govt.

d/6

ELECTRICAL ENGINEER
TO GOVERNMENT
Inwd. No. 1045
File No. X 4
P. W. [illegible]

7 JUN 1939

(Mss. 113-120 destroyed
being copies of Mss. 85-90 & 107-08

# THE NIPANI ELECTRICITY CO.

TEL. ADD. "CONELECTRO"
TELEPHONE NO. 20704.

P. O. BOX NO. 879,
178, ELPHINSTONE CIRCLE, FORT,

*Ref. No.* NIP/-

BOMBAY, 8th May, 1940

The Secretary,
Public Works Department,
B O M B A Y.

Dear Sir,

Re: NIPANI ELECTRIC LICENSE.

We have received a draft of the above license from the Electrical Engineer to Government which contains, among other clauses, a clause stipulating a period of thirty years in place of forty years (formerly usually laid down), at the end of which option of purchase was first exercisable.

We got the permit under Section 28 of the Indian - Electricity Act in August, 1934, to supply electrical energy within the limits of the town of Nipani. In august, 1936,works under the permit were completed and supply commenced. We -- applied for a permit as the area is small, grant of a license usually takes longer time and permit used to be converted into a license at a later stage. Such a conversion used to be -- applied for and granted even after four or five years from the date of the permit.

Within a few months of the commencement of supply in the town of Nipani, an application for the conversion of the -- permit into license was submitted in February, 1937, to Government----

which is now under reference.

In September, 1938, after about eighteen months from the said application, Government communicated to us in their letter No. 1932/36-M dated 30th September, 1938, that Government had decided to impose certain new conditions embodied in the - Press Note dated 21st September, 1938, in the case of every -- license to be granted after that date. We wrote to Government that our application under consideration of Government was submitted long before the date of the said Press Note and was --- merely to convert the permit into a license and that our investments were made with the conviction that the conversion of the permit would be granted on the terms then usually adopted for licenses for town supply. The new conditions had neither been before us nor we had any inkling thereof. They had then not - been contemplated.

Government communicated to us in their letter No. -- 1104/36-M dated 11th November, 1938, that Government did not see any reason to exempt our Company from the application of new -- conditions of the said Press Note.

⊗ p.85
X pp.1137 destroyed

Thereupon we submitted ⊗ on 23rd January, 1939, a representation (copy X enclosed) to the Honourable Mr. Nurrie, then -- Minister of Public Works Department, on the grounds similar to the above.

X p.119 destroyed

Thereupon we received a communication (copy X enclosed) from Government under No. 1104/36-M p.107 dated 3rd April, 1939, stating that Government proposed to incorporate the clause re: the agreement between the Licensee and the Managing Agents as a condition

precedent to the grant of the license and enquired whether we were willing to accept the condition or not should Government decide to grant the license to us. We wrote in reply on 28th April, 1939, to advise acceptance of the proposed clause.

Till the date of the Press Note, all the licenses -- provided a period of forty years or more at the end of which option of purchase was first exercisable. Period of 30 years is the condition of the Press Note.

Government have already taken a decision on our said representation to the then Minister that only one clause of the Press Note viz. re: the agreement between the licensee and the Managing Agents, is to be incorporated in the License to be - granted to us.

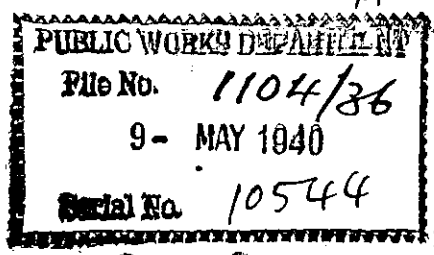
We, therefore, request you to please sanction, pursuant to the said decision of Government, for our license a -- period of forty years at the end of which option of purchase was first exercisable, and advise the Electrical Engineer accordingly.

Yours faithfully,

For THE NIPANI ELECTRICITY CO.

Enclos: 2

VR.


PUBLIC WORKS DEPARTMENT
File No. 1104/36
9 - MAY 1940
Serial No. 10544

45/27 1104/36.

Submitted

2. The main file has been referred vo. to the El Engr to Govt on 6.6.39 & has not yet been received back. These papers may be referred vo. to that officer in continuation with a request to return the main case with his remarks as early as possible.

14.5.40

14/5.

14.5.40

U.O. to El. Engr. to Govt 13/5/40

14 MAY 1940

ELECTRICAL ENGINEER TO GOVERNMENT
Inwd. No. 1286
10 JUN 1940
File No. 45
P. W. D., BOMBAY

(pp. 129-52 destroyed.
See p. 171-80 for revised draft)

Below U.O.R. No.1104/36 p 109 dated the 7th June 1940, from Government in the Public Works Department.

---

No.L.45/ 894 of 1940.

Bombay, 10th June 1940.

Returned, with compliments.

x destroyed. See p. 171-80

2. The revised X draft p 129-132 of the license in duplicate, submitted by Messrs. A.D.Baria and N.C.Javeri, and duly corrected where necessary by this office, together with the amended deposited map in triplicate, is enclosed. The documents are in order. p 143

3. The clause 8(b) of the draft license is differently worded from the one in the model form of license, and it is suggested, for the completion of that clause, that the minimum qualifications of an Engineer as per the statement accompanying Government, Public Works Department letter No.S.92/14681-M dated the 13th August 1938 may be embodied in the form of a letter, addressed to the licensees in this case and sent to them, along with the license when finally sanctioned. The number and date of this letter may also be filled in in the blanks of the clause concerned. p 145/27

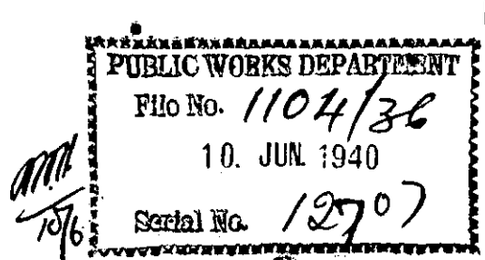
Mb Sq 2/1937-39 XXIX p 45

U.O.R. No.1104/36 dated 15-5-1940 is also returned; the period of 40 p 137/149 years has been allowed in the clause 12/13(A), though the period of 30 years has been sanctioned in the other cases of conversion of sanctions.

p 137

Electrical Engineer to Govt.

DFP.


PUBLIC WORKS DEPARTMENT
File No. 1104/36
10. JUN. 1940
Serial No. 1207

M.B.

Submitted. Wp 129-152

2. The draft of the Nipani Electric License submitted by the El.Engr.to Govt. seems to be in order subject to the following remarks:—

Clause 8(2) of the model form of license provides that the licensee shall employ a resident Elecl.Engr. in technical charge of the undertaking and the appointment of such an Engr. shall have the previous approval of the El.Engr. to Govt., P.W.D., Bombay.

This clause has been adopted in all the licenses recently granted. In the present case, the El.Engr. suggests that the minimum qualifications of an Engr. as detailed in G.L.No.S.92/14681-M, dated the 13-8-38, may be embodied in the form of a letter addressed to the licensees and sent to them along with the license when finally sanctioned, the No. and date of the letter being entered in clause 8(b) of the license. The qualifications of an Engr. enumerated in the G.L. refd.to above are for the guidance of the Elecl.Engr.to Govt. at the time of apptt. of the resident Engr. If as suggested by the El.Engr. the qualifications are embodied in a letter, the No. and date of which are to be inserted in clause 8(b) of the license, and the qualifications subsequently varied or altered, the license may also have to be amended. It is accordingly for consideration whether the model clause may be

inserted

Y/Li S 92/1937-39 XXIV p 45

p143

p143

inserted or the clause as drafted by the El.Engr.to Govt. may be retained. The R.L.A. may be requested to advise in the matter, & also to state whether the draft License is in order.

Model clause should be inserted
J Klerk
6/7

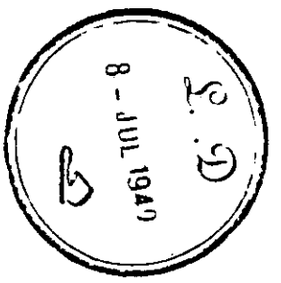
4. Simultaneously with the grant of the license, it will be necessary to revoke the existing sanction granted to Messrs. ~~Surendra and N.Sharaf~~ Ardeshir D Baria and N.C. Javeri under sec.28 of the I.E.Act by G.N. No. ~~9338~~ 7291/27, dated the ~~18th Feby.~~ 23.6.1934. ~~1930~~. A draft of a Notifn. is put up. The R.L.A. may be requested to state whether it is in order.

GJP.
27/6

x copy at corr - e n
B. J. S.

GR
8.7.40

Mengri
6/7.




E

9/7

THE SOLICITOR TO GOVERNMENT
IN LEGAL DEPARTMENT
File No.
Sub No. 15-98
Branch E 9/7
BO...

1104/36.

Draft Notifn.

P.W.Deptt.

B.C., ~~July~~ August 1940.

No.1104/36.- It is hereby notified for general information that the sanction granted under section 28 of the I.E.Act 1910, (IX of 1910) to Messrs.Ardesher D Baria and ~~Nemnitlal~~ Navnitlal C. Javeri by Govt. Notifn. in the P.W.Deptt.No.7291/27, dated the 23rd August 1934 to engage in the business of supplying energy in the area comprised within the limits of the Municipal Dist. of Nipani has been revoked by the Govt. of Bombay with effect from the # day of 1940 being the date from which the Nipani Electric License, 1940 granted to Messrs Ardesher D Baria & Navnitlal C. Javeri Co ~~to the Nipani Electricity Company~~ come into operation.

By order of the G. of B.

Secy.to Govt.

x Copy at commencement of file

# 1st April cat.

x Dy Secy to R.D.

x with file S.92 Pt XXIV of 37-39 regd receipt of licence made

x U.O. to R.L.A. Dy 8-7-40

Legal Department.

Clause 8(b) of the draft Licence may be replaced by clause 8(b)(2) of the model draft in view of the difficulties pointed out in the P.W.D. note at pages ~~143-144~~ 155-156.

2. The draft Licence and the notification, as amended, are in order.

Solicitor to Government.

U.R. to P.W.D. No. 6588 dated 20th July 1945.

A.D.M.

Submitted with the necessary draft for approval. The El. Engr. may see us before submission

GHP 28-2-40

file 12 XXIV
1 map.
in coil form of ten

PUBLIC WORKS DEPARTMENT
File No. 1104/36
20. JUL. 1940
Serial No. 1553

20-7-40

No.1104/36-M.

P.W.D.,B.C.,16th ~~July~~ Aug. 1940.

To

Messrs.Baria & Javeri,
C/o The Nipani Electricity Coy,,
17,B, Elphinstone Circle,
Fort, Bombay.

Subject:- Nipani El.License.

Dear Sirs,

With ref. to ~~your~~ the corres.ending with your letter No.NIP, dated the 8-5-1940, I am directed to forward herewith a revised draft of the license mentioned above and to request that if you are willing to accept it in the form proposed, it may be returned with an intimation to that effect endorsed at the end thereof in the space provided for the purpose.

2. Simultaneously with the grant of the license, it is proposed to revoke the sanction under Sec.28 of the I.E.Act,1910 granted to you in G.N.7291/27, dated the 23-8-1934. A draft of the notifn. to be issued in the matter is also enclosed herewith for your approval.

Yours faithfully,

ISSUED with draft license & G.N. 19. AUG. 1940

× copies of correspondence & file

D.A.-
(1)Draft license.
(2) Draft Notifn.

GR 22/7

× with marked copy of draft Notifn.

ELECTRICAL BRANCH TO GOVERNMENT
Inwd. No. 3175
31 JUL 1940
File No. 245
P. W. D., BOMBAY

Below U.O.R. No. 1104/36 dated the 29th July 1940, from Government in the Public Works Department.

---

No. 45/ 1502 of 1940.

Bombay, 31st July, 1940.

Returned, with compliments.

2. It is suggested that clause 8(b) of the draft license may be worded as follows:-

"The licensee shall employ a Resident Engineer, who shall have the following qualifications, in technical charge of the undertaking, which appointment shall have the previous approval of the Electrical Engineer to Government, Public Works Department, Bombay:

Qualifications required of an Engineer for taking charge of a Generating Station and Distribution Lines.

---

| | Experience required of an Engineer for being appointed in charge of Power Stations. |
|---|---|
| | Upto 500 K.W. |
| I. Generating and Converting Stations. | |
| (a) Period of service as an Erection Engineer ... | Six months |
| and | |
| (b) Number of electrical generating or converting plants, erected, for which erection the Engineer himself has been solely responsible ... | One |
| OR | |
| (a) Period of service as an Assistant Erector of electrical generating machinery .... | Six months |
| and | |
| (b) Period of regular service as an operator in an electrical generating station ... | Six months |
| OR | |
| Period of regular service as an operator in an electrical generating station ... | Twelve months |
| II. Distribution Lines, Medium Pressure. | |
| Number of distribution systems erected for which erection the Engineer himself has been solely responsible.- ... ... | One |
| OR | |
| Regular service under a Mains Engineer on Distribution lines. | Six months. |

P.T.O.

Notes:- (1) The Engineer in charge of a Generating or Converting Station must have satisfactorily completed a course in Electrical Engineering from an Institution approved by the Government of Bombay, in addition to the required experience.

(2) The period of apprenticeship spent in an Electric Supply Company or elsewhere and forming a part of the College course shall not be accepted as qualifying experience which must be obtained as a regular employee of a Supply Company."

Electrical Engineer to Govt.

DFP.

PUBLIC WORKS DEPARTMENT
File No. 1104/36
1- AUG. 1940
Serial No. 16435

(M.B.) Submitted for orders.

2. It is for consideration whether clause 8(b) v. p. 143 of the draft licence pp. 163-164 as now suggested by the E.E. may be accepted. In this connection please see the notes at pp. 155-156 wherein the difficulties pointed out and thereon conceded v. p. 159 to by the R.L.A. will also now arise, should it subsequently be necy. to modify the qualifications required for the appointment of a Resident Engineer.

C.P. 7/8/40 The El. Engineers Govt's object is to define the qualifications necessary for the Resident Engineer to avoid differences of opinion with the licensee as to whether the man they propose is suitably qualified or not. If no terms or qualifications are laid down, the El. Engrs. to Govt's decision will be open to criticism of an unreasonable kind. I think it will be better to include such qualifications even if at some future date it become necessary on that account to modify the licence, a remote possibility perhaps.

D.N. 7/8

✓ Dy Secy

Secy

I do not consider that this definition of qualifications should be entered in the licence. There are far too many 'ands' & 'ors' & the journals are too hard & fast. The

1104/86

Electrical Engineers is to give
prior approval, as at present
proposed, or there is nothing
to prevent him from varying
the type of the minimum qualifications
considered necessary by him

Ltr
8/8

(Kept in Bk)

16) 1104/36.

(M.B.) Resubmitted.

2. In view of the Secy's note at pp. 165-166 ante., clause 8(b) of the draft license, as amended by the ~~Bo.Int.~~ Govt. to conform to the wording of clause 8(2) of the model license form, may stand.

3. The G.L. at p. 161 ante may now issue. After issue the papers may be shown u.o. to the El.Engr.to Govt. with ref. to the Secy's note.

GR
10-8-40

13/8

A 3.

21-8-40

ELECTRICAL ENGINEER TO GOVERNMENT
Inwd. No. 2558
21 AUG 1940
Dy. No.
P. W. D., BOMBAY

Below U.O.R. No. 1104/36 dated the 21st August 1940,
from Government in the Public Works Department.

---

No. 45/1814 of 1940.

Bombay, 21st. August, 1940.

Seen and returned, with compliments.

Electrical Engineer to Govt.

DFP.

p.161.
Await

GR
23-8-40.

23/8/40

Fac
A Ley

S. 92 XXIV

Aug 23/8

PUBLIC WORKS DEPARTMENT
File No. 1104/36
22. AUG. 40
Serial No. 17809

GR
23/8

W.A. 23/8

No

pp. 171-82 are accepts to DH

# THE NIPANI ELECTRIC LICENSE, 1940.

License granted by the Government of Bombay for the supply of energy under the Indian Electricity Act, 1910.

14-A

License.- License is hereby granted to Messrs.A.D.Baria and N.C. Javeri carrying on business in partnership under the name and style of The Nipani Electricity Company, and having their office at 17-B, Elphinstone Circle, Fort, Bombay, to supply energy in the area with the powers x and upon the terms and conditions specified below:-

1. Short Title.- This license may be cited as "The Nipani Electric License, 1940".

2. Interpretation - In this license-

(1) "Act" shall mean the Indian Electricity Act, 1910;

(2) "rules" shall mean the rules made under the Act;

(3) "licensee" shall mean and include the said Messrs.A.D.Baria and N.C.Javeri, and their permitted assigns;

(4) "deposited map" shall mean the plan of the area of supply as hereinafter specified, which has been deposited with Government in pursuance of the rules, which plan is signed, for the purpose of identification, by the Secretary to the Government of Bombay in the Public Works Department and by the licensee;

(5) "the commencement of this license" shall mean the date of the notification by the Government of Bombay in the Bombay Government Gazette by which this license is granted,

(6) "Government" shall mean the Provincial Government of Bombay;

(7) words and expressions not defined in this license but defined in the Act or the Rules shall have the meaning assigned to them in the Act or the Rules as the case may be.

3. Area of Supply.-The area within which the supply of energy is authorised by this license, hereinbefore and hereinafter referred to as "the area of supply" shall be the whole of the area comprised within the Municipal District of Nipani which is shown ~~gx~~ by a red coloured line on the deposited map, and is bounded as follows:-

North:- Survey Nos.128, 81-B, 184, 185, 192, 203 and 224.

South:- Survey Nos.43, 32, 29, 26 and 7.

East.....

East:- Nala.

West:- Survey Nos.45, 49, 51, 56, 91, 90, 89, 88 and 87.

4. Area of Compulsory Supply.-(a) Subject to the provisions of sub-clause (A) of Clause 6 below, the licensee shall maintain to the satisfaction of Government a full and continuous supply of energy throughout the streets and parts of streets as are mentioned below and shown in yellow colour on the deposited map :-

(1) Tambaku Market Road: from Belgaum-Poona Road (Kolhapur Road) to Tandul Peth.

(2) Tandul Peth and Dalal Peth: from Tambaku Market Road to Lohar Galli.

(3) Goruwar Peth: from the Junction of Dalal Peth to Bhagwan Galli.

(4) Satwai Galli: from Belgaum-Poona Road (Kolhapur Road) to the Junction of Dalal Peth.

(b) In the case of any difference between the description of the streets mentioned in sub-clause (a) of this clause and that indicated on the deposited map, the latter shall prevail.

5. Revocation of License.-If the licensee fails to comply with the provisions of sub-clause (a) of clause 4, the license shall be liable to be revoked.

6. Purposes and Limitation of Supply:-

(A) Subject to the provisions of this license and the Act and the rules, the licensee shall be entitled during the continuance of this license to supply energy within the area of supply for all purposes and in bulk and to other licensees for their own purposes;

(B) The licensee shall within three months from the commencement of this license submit for the sanction of Government the following:-

(a) The form of requisition to be made by an owner or occupier of premises or a distributing licensee for the supply of energy.

(b) The form of written contract or agreement to be executed by such owner or occupier or distributing licensee in favour of the licensee for taking a supply of energy; and

(c).....

(c) The rates of all miscellaneous charges which the licensee proposes to levy from such owner, occupier or distributing licensee as incidental to or in connection with such supply.

(C) Clauses V, VI, VII, IX, X and XI of the Schedule to the Act shall wherever necessary, be read as expressly added to or varied to the extent set out in sub-clause (B) of this clause.

(D) The licensee shall not supply energy to any premises unless the owner or occupier of such premises has satisfied the licensee that all work including repairs relating to electric wires, fittings and apparatus, on such premises, has been carried out by a licensed electrical contractor and under the supervision of a Competency Certificate holder under the rules or orders issued by Government in this behalf, or by such other person as may be authorised to carry out such works under rule 48 of the rules and clause VI of the Schedule to the Act shall be deemed to be modified accordingly.

7. System of Supply.- (A) The system of supply of energy which may be adopted for the purpose of this license shall be the following

ALTERNATING CURRENT.

Single or three-phase, three or four-wire, periodicity fifty cycles per second. The pressure of supply at the consumer's terminals shall be as under:-

(a) 230 volts between each phase and neutral for general purposes, viz. lights, fans, heaters and refrigerators;

(b) 400 volts between phases for motive power purposes and purposes other than those specified in (a) above; and

(c) any pressure upto 6,600 volts for feeders and for supply to any large consumers for power purposes:

Provided always (i) that the licensee may from time to time with the previous consent in writing of and subject to such limitations and conditions as may be prescribed in writing by Government adopt any other system of supply for the purpose of this license and (ii) that no high tension mains shall be brought within or near the

populated....

populated areas without the specific sanction of Government in each case.

(B) The feeders, distributing mains and service lines may be laid overhead or underground but whenever and whenever specifically required to do so in writing by Government, such feeders, distributing mains or service lines shall be laid underground:

Provided that

(a) no work or works shall be commenced by ~~this~~ the licensee unless and until the method of construction has been previously approved in writing by the Electrical Engineer to Government;

(b) where overhead mains are used, they shall nowhere be at a height of less than thirty feet from the ground level of the streets at all crossings in all the routes where "raths" or "taboots" or other similar religious processions are likely to pass. In cases of dispute such routes and heights shall be determined by the District Magistrate;

(c) in narrow lanes or streets the poles for overhead mains shall be placed on the extreme edge of the lane or street and a special construction to be approved by the Electrical Engineer to Government shall be adopted to keep the wires clear of every building;

(d) no poles for overhead lines shall be erected in streets or thoroughfares which are less than ten feet in width for vehicular traffic; and

(e) nothing in this license shall authorise the licensee to use overhead mains at a pressure higher than the medium pressure without the written sanction of Government in each case and subject to any conditions or limitations which Government may prescribe in that behalf.

(C) Due precautions shall be taken to avoid any possible interference with the adjacent telephone or telegraph circuits due to inductive effects. The electric wires shall be suitably transposed where necessary.

(D).....

Gazette 25/12

I

(D) For the purpose of rule 68(2) of the rules, the maximum wind pressure shall be taken as fifteen pounds per square foot.

8. Generating, Receiving, Transforming and Distributing Stations

(a) The Generating, Receiving, Transforming and Distributing Stations shall be within the area of supply.

(b) The licensee shall employ a Resident Electrical Engineer in technical charge of the undertaking and the appointment of such an engineer shall have the previous approval of the Electrical Engineer to Government.

9. Rates or Limits of Prices to be charged.-The rates to be charged by the licensee for energy supplied by him shall not exceed the maxima set out below, or in the case of a method of charge approved by Government under clause (c) of sub-section (3) of section 23 of the Act such maxima as Government may fix on approving the method, namely-

(A) Where energy is supplied by meter(-

(1) For general supply purposes, viz.:-

(a) for lights and fans — A rate of annas six per unit;

(b) for heating and refrigerating purposes — A rate of annas two per unit.

(2) For motive power purposes and purposes other than those mentioned in items (1) (a) and (b) above and (3) below -

Upto and including 3 K.W. — A standing charge of Rs.2 per B.H.P. or part thereof connected per mensem, plus annas 2 per unit.

Over 3 K.W. — A standing charge of Rs.2 per B.H.P. or part thereof connected per mensem plus anna one and pies six per unit.

(3) For Motive Power for purposes of agriculture and small industries with 5 or less B.H.P. Motors: A standing charge of Rs.2 per B.H.P. or a fraction thereof connected per month plus anna 1 per unit, provided that the annual consumption of energy amounts to 5000 units per annum. If annual energy consumption is below 5000 units in a year, rates stated in sub-clause (A)(2) shall apply.

Note.-The term "Unit" occurring in this sub-clause shall mean the energy contained in a current of 1,000 amperes flowing under an electromotive force of one volt during one hour.

(4) (a) A minimum charge as per following scale in respect of item (a) of sub-clause (A)(1) of this clause shall be charged - exclusive of meter rent and irrespective of whether energy of that value has been consumed or not.

| | Rs. per month. |
|---|---|
| Installation consisting of | |
| Upto and including 5 points. ... ... | Re.1 |
| Above 5 points upto and including 10 points. .. | Rs.2 |
| Above 10 points upto and including 18 points. .. | Rs.2-8-0 |
| Above 18 points. ... ... ... | Rs.3 |

(b) A minimum charge of Rs.3 per mensem in the cases referred to in item (b) of sub-clause (A)(1) shall be charged exclusively of meter rent and irrespective of whether energy of that value has been consumed or not, provided that if there is a lighting installation for which a minimum is levied under sub-clause (4)(a), minimum under this clause shall be inclusive of minimum charged under sub-clause (4)(a).

(5) ~~Market~~ Meter Rent.- The rent to be charged for meters shall not exceed

Annas four per month for a single phase A.C. meter.
Annas eight per month for a poly-phase A.C. Meter.

(B) Where energy is not supplied by meter, a fixed rate of rupee one and annas eight per mensem shall be charged for a twenty watt light and rupee one for every additional twenty watts or part thereof burning for not more than six hours per night.

(C) In the case of large consumers, contracts may be made for fixed periods at such rates not exceeding the rates specified in sub-clause (A) of this clause as may be agreed upon.

(D) Without prejudice to anything contained in the above sub-clauses, the licensee may at any time enter into a special contract with the Municipality of Nipani for the supply of energy to the said Municipality for public lighting upon such terms and conditions and at such rates not exceeding the maxima charges specified above, as may for the time being be mutually agreed upon.....

upon.

9-A. Notwithstanding anything contained in any contract or agreement entered into by the licensee with individual consumers in pursuance of the sanction granted by Government Notification, Public Works Department, No.7291/27, dated the 23rd August 1934, and subsisting on the date of the commencement of this license the rates to be charged by the licensee to such consumers for energy supplied after the commencement of this license, shall not exceed the maxima rates leviable under clause 9 of this license.

10. Agreement between the licensee and the Managing Agents.- The licensee shall not enter into an agreement with Managing Agents, if any, or make any modifications to such agreement already entered into, unless with the previous consent in writing of the Government. The Government shall also have the right to examine any agreement between the licensee and the Managing Agents, if any, and to require suitable modification therein as a condition precedent to Government granting any consent as required by section 9(2) of the Act.

11. Breaking up of streets.-The length of trenches to be opened on any street at any one time, and the period for which they may remain open, shall be determined from time to time by Government or the local authority by which such streets are repairable.

12. Purchase of the Undertaking.-

(A) The option of purchase given by sub-section (1) of section 7 of the Act shall be exercisable first on the expiration of forty years from the commencement of this license and thereafter on the expiration of every subsequent period of ten years therefrom. The percentage of the value of the lands, buildings, works, materials and plant of the licensee referred to in sub-section (1) of section 7 of the Act which shall be added to such value under the second proviso to that sub-section on account of compulsory purchase shall be ten % per centum.

(B) In accordance with clause (d)(ii) of sub-section (2) of section

3 of the Act, it is hereby declared that the generating station belonging to the licensee and used in connection with the undertaking or where energy is purchased from any other person or company, the receiving and distributing sub-stations used in connection with the undertaking; shall form part of the undertaking for the purpose of purchase under section 5 or section 7 of the Act.

13. Assignment of the license.- At any time after the commencement of this license the licensee may, with the previous consent in writing of Government, and subject to compliance with such conditions upon which such consent may be given, assign this license and transfer the whole of the undertaking in respect of which this license is granted (including all lands, buildings, works, materials and plant of the licensee) to any individual or company formed or to be formed and registered in the Province of Bombay in accordance with the law for the time being in force in British India, or, in Great Britain under any enactment relating to companies for the time being in force there and having authority to take over the license and the said undertaking as the case may be and to exercise the powers and perform the obligations given to or imposed upon the licensee under this ~~x~~ license, the Act and the rules, and on such assignment and transfer, the rights, powers, authorities, obligations and liabilities of the licensee shall be exercisable by ~~x~~ and shall attach to such individual or company formed or to be formed as aforesaid.

14. Exemption from Security.-In pursuance of clause (f) of sub-section (2) of section 3 of the Act, it is hereby expressly declared that clause 1 of the schedule to the Act shall be exempted from incorporation in this license.

15. Submission of Technical Data.- The licensee shall submit to Government annually before 1st October, a statement showing the technical data made upto 31st March of the same year in the form prescribed by Government.

Dated.....

M.K.P.
16-8-40.

Dated this Seventeenth day of December 1940.

By order of the Governor of Bombay,

C. E Aitken,

Secretary to the Government of Bombay,
Public Works Department.

Press:- Pl omit
this signature on two
(2) Blue copies of the
supplied by this Deptt.

B

omit

---

A C C E P T E D.

Bansi Ghanchi

Signature of the applicants. 26/9/40

DRAFT NOTIFICATION.

Public Works Department.
Bombay Castle, August 1940.

No.1104/36.- It is hereby notified for general information that the sanction granted under section 28 of the Indian Electricity Act, 1910 (IX of 1910), to Messrs.Ardesher D.Baria and Navnitlal C.Javeri by Government Notification in the Public Works Department No.7291/27, dated the 23rd August 1934, to engage in the business of supplying energy in the area comprised within the limits of the Municipal District of Nipani has been revoked by the Government of Bombay with effect from the day of 1940 being the date from which the Nipani Electric License, 1940, granted to Messrs.Ardesher D.Baria and Navnitlal C.Javeri comes into operation.

By order of the Governor of Bombay,

C. E. AITKEN,
Secretary to Government.

M.K.P.
16-8-40.

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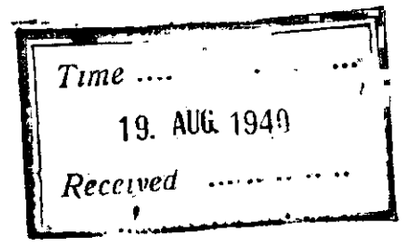
accomplis to D/



(Mp-183-86 destroyed)
D1

1104/36.
20005

(M.B.) Submitted.

2. The Coy. accepts the draft license forwarded to it but is not agreeable to clause 8(b) as worded. The Coy. desires that this clause should be worded in the form proposed by it. This question has been fully considered and it has been decided on the advice of the Solr. to Govt. that the wording of clause 8(b) ~~in~~ of the model form of license should be adhered to. The Coy. ~~may~~ may be informed after u.o.r. to the El. Engr. that Govt. is unable to accept the modification proposed by it and that it will proceed further with the ~~grant~~ consideration of the applicn. for the grant of the license only if the draft license is accepted by the Coy. in the form already forwarded to it.

note on D1 with accepts

GR 2-10-40.

U.O. to El. Engr. to Govt. 13-10-40.

ELECTRICAL ... TO GOVT. ...
Inwd. No. 3305 ... 1940
No. LHS
... W. P., BOMBAY

Below U.O.R. No. 1104/36 dated the 3rd October 1940, from Government in the Public Works Department.

---

No.L.45/ 2259 of 1940.

Bombay, 7th October 1940.

Seen and returned, with compliments.

Electrical Engineer to Govt.

DFP.

Submitted with the necessary
draft for approval.
p 191

GH
12-10-40

MB. 7/10. Model form

PUBLIC WORKS DEPARTMENT
File No. 1104/36
7 - OCT. 1940
Serial No. 20655.

The Eng Law varied a Jmnp
re Miners & Jmnr appmnt
& the El Eng which seems
to need some consideration

Could the word "Jmnrs"
be omitted from clause 8(6)?
p 143

14/10

15/10

191

1104/36

No. 1104/36. M

B.P Cct. 40.

1.51 L VIA

To

Messrs Bana & Jhaveri,
C/o. The Nipani El. C.
17 B, Elphinstone Circle,
Fort, Bombay.

Dear Sirs,

Nipani El. License.

With reference to your letter No. b183
NIP., dated the 25.9.40, I am directed to inform you that Govt is unable to accept the modification of clause 8(b) of the draft license as b143 as typed proposed by you & ~~Govt~~ will proceed further with the consideration of the application for the grant of the license only if the draft license is accepted by you in the form pp129-152 forwarded ~~herewith~~ with G.L. No. 1104/36-M, d. the 16.8.40. pp161

Yours Mfy.

G.R. 10.10.40

Copy forwarded for information to the El. Engr to Govt with reference to his No. L.45/2259 b69, dated 7.10.40.

G.R. 12.10.40

✓ Dy Secy

Secy

11/6

L.R. 15.10

1104/30

Submitted with reference
to the Secys note P190 dated the 14-10-40

2. The El. Engr. to Govt
may be requested to advise
whether there is any objection
to omit the word "previous"
from clause 8(b) of the draft-license P143

GR
16.10.40.

ELECTRICAL ENGINEER
TO GOVERNMENT
Inwd. No. 3555
19 OCT 1940
File No. 245
P. W. D., BOMBAY

U.O. to El. Engr. to Govt. dt 17-10-40

18.10.40

Below U.O.R. No. 1104/36 dated the 17th October 1940, from Government in the Public Works Department.

---

No. 245 2174 of 1940.

Bombay, 21st October, 1940.

Returned, with compliments.

2. There is no objection to the deletion of the word "previous" from clause 8(b) 143 of the draft license.

Electrical Engineer to Govt.

DFP.

Submitted with reference to the Secy query at p. 190 ante.

2. The Cl. Engr. to Govt. now reports that there is no objection to the deletion of the ~~word~~ word "previous" from clause (b) of the draft licence. A revised draft is put up for approval.

GR
28.10.40

MB

25/10

1 Model form
MB·22/X

PUBLIC WORKS DEPARTMENT
File No. 1104/36
21. OCT. 1940
Serial No. 21568

MB
21/10/40

In Red
MB

195 1104/36.

No.1104/36-M.

P.W.D.,B.C., 28th Oct.1940.

To

Messrs.Baria and Javeri,
C/o The Nipani Electric Coy.,
17-B, Elphinstone Circle,
Fort, Bombay.

Subject:- Nipani El.License .

...

Dear Sirs,

With ref.to your letter, No.N.I.P., p193 dated the 25-9-40, I am directed to inform you that Govt. is unable to accept the modification of clause p175 8(b) of the draft license as proposed by you but is prepared to omit the word "previous" in clause p176 8(b) of the draft license in the form as forwarded with G.L.No.1104/36-M, Hp129-152 p161 dated the 16-8-40. The further consideration of the license will only be proceeded with, if the draft ~~is~~ license as now modified is accepted by you.

Yours faithfully,

Copy forwarded for information to the El.Engr.to Govt. with ref.to his No. p193 L.45/2474, dated the 21-10-40.

D.A.- Nil.

GR
22/x

Dy Secy

Secy

GR 28-10-40

23/10

25/10

ISSUED
28 OCT. 1940

# THE NIPANI ELECTRICITY CO.

TEL. ADD. "CONELECTRO"
TELEPHONE NO. 20704.

P. O. BOX No. 879,
17B, ELPHINSTONE CIRCLE, FORT,

*Ref. No.* NIP/

BOMBAY, 4th November 19 40.

The Deputy Secretary to the Government of Bombay,
Public Works Department,
BOMBAY:

Dear Sir,

SUBJECT: NIPANI ELECTRIC LICENSE.

With reference to your letter No.1104/36-M dated 28th ultimo, we regret that the Government are unable to accept the modification of Clause 8 (b) as proposed by us. Under the circumstances we accept the draft as now modified.

We request that the grant of the License may be expedited.

Yours faithfully,
FOR NIPANI ELECTRICITY CO.

BGP/

Submitted with the necessary
ff 199-207
drafts for approval. f 195-
2. As instructed in P.L. No. 1104/36-L,
d. 28-10-40, the word "previous" ff 171-179
occurring in clause f 175 8(b) of the draft
licences will be omitted before issue
of the drafts put up.

28.11.40

6/12/40

& done.

GR

6/11

PK
7/11

D.S.
Secy.

WPB 6/11

PUBLIC WORKS DEPARTMENT
File No. 1104/36
5 - NOV. 1940
Serial No. 2256

LR (engaged)
7/11

GR
7/11

MB
5-11-40

1104/36.

(To be published in Pt. ~~IV-C~~ I of the B.G.G.)

No.1104/36-I.

P.W.D.,B.C., 17-12-1940.

NOTIFICATION.

I.E.Act,IX of 1910.

In exercise of the powers conferred by section 3(1) of the I.E.Act, IX of 1910, the Govt.of Bombay is pleased to sanction the following license under the aforesaid Act being granted to Messrs.A.D.Baria and N.C. Javeri for the supply of electrical energy in the areas and with the powers and upon the terms and conditions specified below:-

(Enter license pp. 171 - 179 ante).

By order of the Governor of Bombay,

To Excise Collector Surat

ISSUED
18. DEC. 40

28.11.40

Dy Sey

Sey

7/12

7/12

1104/36.

No.1104/36-II.

P.W.D.,B.C., 17th Decr.1940.

NOTIFICATION.

It is hereby notified for genl. information that the sanctioned granted under section 28 of the I.E.Act, 1910 (IX of 1910), to Messrs.Ardesher D.Baria and Navnitlal C.Javeri by Govt. Notifn.in the Public Works Deptt.No.7291/27, dated the 23rd Aug. 1934, to engage in the business of supplying energy in the area comprised within the limits of the Muni.Dist. of Nipani has been revoked by the Govt.of Bombay with effect from the 17th day of December 1940,being the date from which the Nipani Electric License, 1940, granted to Messrs. Ardesher D.Baria and Navnitlal C. Javeri comes into operation.

By order of the Govr.of Bombay,

I. E. Act, 1910 (IX of 1910).

ISSUED
18. DEC. 1940

1104/36.

No.1104/36-M.
P.W.D.,B.C., 7th January 1941 ~~3rd Novr. 1940~~.

From

The Secy.to the Govt.of Bombay,
P. W. Deptt.

To

(1) The Secy.to the Govt.of Madras,
P. W. Deptt.

(2) The Secy.to the Govt.of Sind,
P. W. Deptt.

Subject:- The Nipani Electric License, 1940.

Sir,

I am directed to forward herewith for information 2 copies of the Nipani Electric License, 1940, granted by this Govt.to Messrs.A.D.Baria and N.C.Javeri.

I have etc.

ISSUED
11 JAN. 1941

D.A.- 2 copies of the license.

28.11.40

D y Secy

Secy

7/1

1104/36.

(To be issued by Registered Post).

No.1104/36-M.
P.W.D.,B.C., 7th Jany 1941 ~~Nov.1940~~.

To
Messrs Baria and Javeri,
c/o The Nipani Electricity ~~Supply~~ Co.,
Fort, Bombay.

Subject:- The Nipani Electric License, 1940.

Dear Sirs,

With ref.to the corres.ending with your letter No.N.I.P., dated the 4-11-1940, I am directed to forward herewith the Nipani El.License, 1940, together with a copy of the deposited map refd.to therein,duly signed by the Secy. to Govt.,P.W.D.and to request that its receipt may be acknowledged at an early date. A copy of G.R.No.1104/36-II, d.the 17th Dec/1940 revoking the sanction is also enclosed.

2. I am to invite special attention to clause 7(B) proviso (a) of the license and to inform you that the method of construction you propose to adopt should be approved in writing by the El.Engr.to Govt.before any work is started in con.with the supply.

3. I am to inf rm you that the annual statement of accounts of the undertaking should under Sec.11 of the I.E.Act, be made up to the 31st March in each year in the forms set forth in Annexure V to the I.E.Rules,1937, and also in the statement form attached hereto and forwarded in triplicate to the A.G.,Bombay,before the 1st of Oct.of the same year,for
un.and audit. One copy thereof
s.
l be forwarded direct to the
El. ...

x vide 2° L. No 2581/36-In. d 6-9-40 (ff 147-149 of file 2581/35 - 2° L. Rei : vacated)

El.Engr.to Govt. A fee of Rs. ~~100/-~~ 150/- should be paid by you on demand to the A.G.,Bombay for the audit work in question.

4. Further, I am to invite your attention to Sec.21 of the I.E.Act and also to clause 6 of the license ff 172-173 and to state that you are reqd.to submit in due course for the sanction of Govt. the conditions that you wish to adopt for regulating your relations with the consumers. A model form in this con. should be obtained from the El.Engr.to Govt.

5. Lastly, I am to forward herewith copies of the following documents for your information and guidance:-

(a) a copy of G.L.No.5527/27-M,dated the 28-5-31, addressed to all the El. Licensees in the Province of Bombay, re: electric power lines near Civil Aerodromes or landing grounds.

* will be but as if read

(b) a copy of G.N.No.9175/27-I,dated the 31-8-35, as amended, re: notice of accidents and injuries under Sec.33 of the I.E.Act, 1910.

(c) copies of G.Notifns.Nos.640/27-I and II,dated the 15-11-34, as amended, re: rules and conditions for the grant of certificates of competency and licenses to electrical contractors under Rule 48 of the I.E.Rules, 1937.

(d) a copy of the opinion of the Solr. to the Govt.of India,dated the 11-12-1916,in accordance with which the cost of the first pole on the consumers premises should be shared between the licensee and the consumer.

Yours faithfully,

Copy forwarded for information to -

the El.Engr.to Govt., and

the A.G., Bombay.

ISSUED
Complete
11. JAN. 1941
R.P.P.

D. A.:- As in paras 1, 3 & 5.

1) Licence.
2) Draft
3) Statem
4) Copies of L. No.
" " Volume
the letter

Dy Secy

Secy.

28-11-40

The Nipani El.License, 1940.
Grant of - to Messrs.Ardeshir D.Baria and Navnital C. Javeri.

Government of Bombay.
Public Works Department.
Resolution No.1104/36-
Bombay Castle, 17th Sept. 1940.

Letter from Messrs.Baria and Javeri, No.N.I.P., dated the 8-2-37, as under:- p9

(Enter) p20

Read G.L.No.1104/36-M, dated the 11-3-1937 to Messrs.Baria and Javeri. p29

Letter from Messrs.Baria and Javeri, No.N.I.P., dated the 23-3-1937, as under:-

(Enter). p45

Read G.N.No.1104/36, dated the 22-4-1937, republishing in the B.G.G. the notice published by Messrs.Baria & Javeri under the I.E.Rules, 1937. p45

Read G.E.No.1104/36-M, dated the 1-5-1937, to the Commr.,S.D. p53

Read memo.from the Commr.,S.D.,No. M.S.C.291, dated the 19-7-1937. p75

Read G.L.No.1932/36-M, dated the 30-9-1938 to Messrs.Baria and Javeri. p77

Read letter from Messrs.Baria and Javeri,No.N.I.P., dated the 12-10-1938. p82

Read G.L.No.1104/36-M, dated the 11-11-1938 to Messrs.Baria and Javeri. p153

Read memo.from the El.Engr.to Govt., No.L.45/894, dated the 10-6-1940. p159

Read memo.from the Solr.to Govt., No.6588, dated the 20-7-1940. p161

G.L.No.1104/36-M, dated the 16-8-1940 to Messrs.Baria and Javeri, as under:-

(Enter)

Read G L No 1104/36-M, dated the 8.4.39 & Messrs Baria & Javeri p107

Read letter from Messrs Baria & Javeri, No. N.I.P. dated the 26.4.1939. p109

Letter ....

1104/36

D/ p 183
Read Letter from Messrs.Baria and Javeri, No.N.I.P., dated the 25-9-1940, as under:-
p 195 (Enter)
G.L.No.1104/36-M, dated the 28-10-1940 to Messrs.Baria and Javeri, as under :-

(Enter)
p 197
Letter from Messrs.Baria and Javeri, No.N.I.P., dated the 4-11-1940, as under:-

(Enter).

RESOLUTION:- In exercise of the powers conferred by section 3(1) of the I.E.Act, 1910, the Govt.of Bombay is pleased to sanction the grant of the p 171-179 license appended hereto, under the aforesaid Act, to Messrs. Ardesher D.Baria and Navnitlal C.Javeri for the supply of electrical energy to the areas comprised within the limits of the municipal district of Nipani.

2. The Govt.of Bombay is also pleased to authorise the Secy.to Govt., P.W.D., to sign the license on behalf of Govt.

3. The license should be notified in the B. G. G. vide p 199

4. The deposited map* referred to in clauses 3 and 4 of the license and submitted by the licensee should be signed by the Secy.to the Govt.of Bombay, P.W.D., and dated to correspond with the date of the notification vide p 199 of the grant of the license. It should then be recorded in the Sectt., a duplicate copy of the same being forwarded to the El.Engr.to Govt.for record in his

* Kept below

office ...

office.

5. The Govt.of Bombay is also pleased to direct that the sanction granted under section 28 of the I.E.Act,1910, (IX of 1910) to Messrs.Ardesher D.Baria and Navnitlal C.Javeri in G.N.No.7291/27,× dated the 23-8-1934, should be revoked with effect from the date of the license, and the requisite notifn. in this con. should be published in the Bombay Govt. Gazette.

By order of the Govr.of Bombay,

× Rule not up at the commencement of the Rule

To

*The G.D.
*The Commr.,S.D.
*The S.E.,S.C.
*The Collr.of Belgaum.
*The R.L.A.(with 4 copies of the G.Ns.)
*The El.Engr.to Govt.(with 6 copies of the G.Ns. and copy of deposited map)
*The Ex.Engr.,Belgaum Dn.
*The P.M.G.,Bombay(with 4 spare copies)
*The A.G.,Bombay.

*with copies of the G.Ns.

GR
22/xi

A 3

Is this Mr Ardesher Mr Javeri Mr Belsar licensee who is having up extension of area ? he will not accept conditions? If so, there seem no use reasons to give him any other licen

(M.B.) Submitted with ref.to ~~note~~ A/5 p 207 note within.

2. Mr.N.C.Javeri is the Managing Director of the Amalgamated Electricity Coy.(Belgaum) Ltd., who are holding the Bulsar El.License.

3. So far as the present case is concerned, it may be stated that Messrs. Baria and Javeri were granted in Aug. 1934 a sanction under sec.28 of the I.E. Act to engage in the business of supplying electrical energy within the limits of the Munl.Dist.of Nipani. As the undertaking had grown in magnitude, the sanction holders considered it necy.to possess the full rights of a licensee and they accordingly applied p9 for the conversion of their sanctions into a regular license. It has been decided not to enforce the new conditions in such cases of conversion except the condition re: the approval to the Managing Agency agreement - vide ~~copies of~~ proceedings at pp.93-109 ante. The present case is thus not a case of granting a new license, but merely converting the existing sanction into a regular license. Orders are accordingly requested whether the drafts may issue.

× G N. 7291/36 dated 28-6-34 Copy at Cor movement file

& vide clause 10 of the draft license p 177

GR 12/12

GR 13.12.36.

It is in accordance with Govt. orders that all sanctions should be converted into proper licenses as early as possible. That is all that is being done in this case.

Dy Secy

Secy

A F.

104/36

Submitted I don't think we can possibly refuse this because of the Bishop case as it is a concession only

Dr 14/12

AF

Dr 16/12

The Nipani Electric License, 1940.
Grant of — to Messrs. Ardesher D. Baria and Navnitlal C. Javeri.

# GOVERNMENT OF BOMBAY.

## PUBLIC WORKS DEPARTMENT.

## Resolution No. 1104/36.

## Bombay Castle, 17th December 1940.

Letter from Messrs. Baria and Javeri, No. N.I.P., dated the 8th February 1937, as under :—

" We have been engaged in the business of supplying electric energy in the area of the Municipality of Nipani in accordance with the permit granted by the Government of Bombay, under section 28 of the Indian Electricity Act, 1910 (IX of 1910). The Electrical undertaking has grown in magnitude and it is considered that in order to possess the full rights of a license under section 3 of the Indian Electricity Act, 1910, as amended, it is necessary to obtain a license under the said section.

We beg to apply for the above license and request that the Government will be pleased to grant us the same.

The following documents are enclosed herewith :—

1. Six copies in print of the draft license.
2. A challan for Rs. 500 as license fee.

The local authority is the Municipality of Nipani.

We beg to add that we shall publish the advertisement as required by the rules in a local paper which has a wide circulation in the area of supply copies of which will be sent to you after publication.

We trust that Government will accord us the necessary license at an early date."

Read Government letter No. 1104/36-M, dated the 11th March 1937 to Messrs. Baria and Javeri.

Letter from Messrs. Baria and Javeri, No. N.I.P., dated the 23rd March 1937, as under :—

" With reference to your letter No. 1104/36-M of 11th instant, we beg to apply afresh, as required therein, for the Nipani Electric License.

The draft license will be advertised afresh in a local paper in accordance with the Rules.

We forward herewith six copies in print of the draft license.

A challan for Rs. 500 as license-fee has been already forwarded with our application of 8th February 1937.

We trust that Government will be pleased to grant us the necessary license at an early date."

Read Government Notification No. 1104/36, dated the 22nd April 1937, republishing in the *Bombay Government Gazette* the notice published by Messrs. Baria and Javeri under the Indian Electricity Rules, 1937.

Read Government endorsement No. 1104/36-M, dated the 1st May 1937, to the Commissioner, Southern Division.

Read memorandum from the Commissioner, Southern Division, No. M.S.C. 291, dated the 19th July 1937.

Read Government letter No. 1932/36-M, dated the 30th September 1938, to Messrs. Baria and Javeri.

Read letter from Messrs. Baria and Javeri, No. N.I.P., dated the 12th October 1938.

Read Government letter No. 1104/36-M, dated the 11th November 1938, to Messrs. Baria and Javeri.

Read Government letter No. 1104/36-M, dated the 3rd April 1939, to Messrs. Baria and Javeri.

Read letter from Messrs. Baria and Javeri, No. N.I.P., dated the 28th April 1939.

Read memorandum from the Electrical Engineer to Government, No. L. 45/894, dated the 10th June 1940.

Read memorandum from the Solicitor to Government, No. 6588, dated the 20th July 1940.

Government letter No. 1104/36-M, dated the 16th August 1940, to Messrs. Baria and Javeri, as under:—

" With reference to the correspondence ending with your letter No. N.I.P., dated the 8th May 1940, I am directed to forward herewith a revised draft of the license mentioned above and to request that if you are willing to accept it in the form proposed, it may be returned with an intimation to that effect endorsed at the end thereof in the space provided for the purpose.

" 2. Simultaneously with the grant of the license, it is proposed to revoke the sanction under section 28 of the Indian Electricity Act, 1910, granted to you in Government Notification No. 7291/27, dated the 23rd August 1934. A draft of the notification to be issued in the matter is also enclosed herewith for your approval."

D-1

Letter from Messrs. Baria and Javeri, No. N.I.P., dated the 25th September 1940, as under:—

" With reference to your letter No. 1104/36-M, dated 16th ultimo, we return herewith the draft duly approved subject to our contentions regarding clause 8 (*b*) as follows:—

We have already agreed that the qualifications of the Resident Electrical Engineer in technical charge of the undertaking should conform to those laid down in the Government Resolution in that respect.

The clause as it now stands, requires previous approval of the Electrical Engineer to Government, to an appointment of a Resident Electrical Engineer. This will cause hardship and inconvenience in the administration. If the Engineer in charge is taken ill or remains absence suddenly or goes on leave, the Station will have to be left in charge of none till approval of the Electrical Engineer to Government has been received.

Again the licensees will have to select a number of persons and recommend them to the Electrical Engineer to Government for approval. Though the licensees will be paying the Engineer, his final appointment will rest with the Government Officer.

We appreciate that some minimum standard of qualifications has been fixed, in the interest of the public and in the interest and efficiency of the industry, which an Engineer must hold to qualify for a post of an Engineer-in-charge. The present clause vests arbitrary and unlimited power in the Electrical Engineer to Government and it might be that he may refuse at times approval without giving any reasons therefor and the licensee will be in a fix. We are confident that the object and spirit of the clause will be served even if the clause as approved by us stands.

We would further state that the present clause as proposed is an innovation. Such a clause did not form a part of licenses granted prior to 1938.

We would, therefore, request Government to restore clause 8 (*b*) as approved by us in the draft which has been settled after discussion with the Electrical Engineer to Government. Its restoration will, we think, in no way impair the object and spirit underlying the clause of the present draft.

We approve the draft subject to the restoration of clause 8 (*b*) of the draft previously approved by us.

With reference to paragraph 2 of your letter, we beg to return herewith the draft of notification duly approved by us."

Government letter No. 1104/36-M, dated the 28th October 1940, to Messrs. Baria and Javeri, as under:—

" With reference to your letter, No. N.I.P., dated the 25th September 1940, I am directed to inform you that Government is unable to accept the modification of clause 8 (*b*) of the draft license as proposed by you but is prepared to omit the word ' previous ' in clause 8 (*b*) of the draft license in the form as forwarded with Government letter No. 1104/36-M, dated the 16th August 1940. The further consideration of the license will only be proceeded with, if the draft license as now modified is accepted by you."

Letter from Messrs. Baria and Javeri, No. N.I.P., dated the 4th November 1940, as under:—

" With reference to your letter No. 1104/36-M, dated 28th ultimo, we regret that the Government are unable to accept the modification of clause 8 (*b*) as proposed by us. Under the circumstances we accept the draft as now modified.

We request that the grant of the license may be expedited."

RESOLUTION.—In exercise of the powers conferred by section 3 (*1*) of the Indian Electricity Act, 1910, the Government of Bombay is pleased to sanction the grant of the license appended hereto, under the aforesaid Act, to Messrs. Ardesher D. Baria and Navnitlal C. Javeri for the supply of electrical energy to the areas comprised within the limits of the municipal district of Nipani.

2. The Government of Bombay is also pleased to authorise the Secretary to Government, Public Works Department, to sign the license on behalf of Government.

3. The license should be notified in the *Bombay Government Gazette*.

4. The deposited map referred to in clauses 3 and 4 of the license and submitted by the licensee should be signed by the Secretary to the Government of Bombay, Public Works Department, and dated to correspond with the date of the notification of the grant of the license. It should then be recorded in the Secretariat, duplicate copy of the same being forwarded to the Electrical Engineer to Government for record in his office.

5. The Government of Bombay is also pleased to direct that the sanction granted under section 28 of the Indian Electricity Act, 1910 (IX of 1910), to Messrs. Ardesher D. Baria and Navnitlal C. Javeri in Government Notification No. 7291/27, dated the 23rd August 1934, should be revoked with effect from the date of the license, and the requisite notification in this connection should be published in the *Bombay Government Gazette*.

By order of the Governor of Bombay,

(R. H. HAMMETT,)
Deputy Secretary to Government.

G. R. No. 1104/36, P. W. D., dated the 17th December 1940.

To

*The General Department.
*The Commissioner, Southern Division.
*The Superintending Engineer, Southern Circle.
*The Collector of Belgaum.
*The Remembrancer of Legal Affairs (with 4 copies of the Government Notifications).
*The Electrical Engineer to Government (with 6 copies of the Government Notifications and copy of deposited map).
*The Executive Engineer, Belgaum Division.
*The Postmaster General, Bombay (with 4 spare copies).
*The Accountant General, Bombay.

*With copies of the Government Notifications.

No. of 1940.

Copy forwarded for information and guidance to

22/1/41

ISSUED
map.
22. JAN. 1941

## PUBLIC WORKS DEPARTMENT.

Bombay Castle, 17th December 1940.

No. 1104/36-I.—In exercise of the powers conferred by section 3 (*1*) of the Indian Electricity Act, IX of 1910, the Government of Bombay is pleased to sanction the following license under the aforesaid Act being granted to Messrs. A. D. Baria and N. C. Javeri for the supply of electrical energy in the areas and with the powers and upon the terms and conditions specified below :— INDIAN ELECTRICITY ACT, IX OF 1910.

### THE NIPANI ELECTRIC LICENSE, 1940.

LICENSE GRANTED BY THE GOVERNMENT OF BOMBAY FOR THE SUPPLY OF ENERGY UNDER THE INDIAN ELECTRICITY ACT, 1910.

*License.*—License is hereby granted to Messrs. A. D. Baria and N. C. Javeri carrying on business in partnership under the name and style of The Nipani Electricity Company, and having their office at 17-B, Elphinstone Circle, Fort, Bombay, to supply energy in the area with the powers and upon the terms and conditions specified below :—

1. *Short title.*—This license may be cited as " The Nipani Electric License, 1940 ".

2. *Interpretation.*—In this license—

(1) " Act " shall mean the Indian Electricity Act, 1910;

(2) " rules " shall mean the rules made under the Act;

(3) " licensee " shall mean and include the said Messrs. A. D. Baria and N. C. Javeri, and their permitted assigns;

(4) " deposited map " shall mean the plan of the area of supply as hereinafter specified, which has been deposited with Government in pursuance of the rules, which plan is signed, for the purpose of identification, by the Secretary to the Government of Bombay in the Public Works Department and by the licensee;

(5) " the commencement of this license " shall mean the date of the notification by the Government of Bombay in the *Bombay Government Gazette* by which this license is granted;

(6) " Government " shall mean the Provincial Government of Bombay;

(7) words and expressions not defined in this license but defined in the Act or the Rules shall have the meaning assigned to them in the Act or the Rules as the case may be.

3. *Area of supply.*—The area within which the supply of energy is authorised by this license, hereinbefore and hereinafter referred to as " the area of supply " shall be the whole of the area comprised within the municipal district of Nipani which is shown by a red-coloured line on the deposited map, and is bounded as follows :—

*North*—Survey Nos. 128, 81-B, 184, 185, 192, 203 and 224.

*South*—Survey Nos. 43, 32, 29, 26 and 7.

*East*—Nala.

*West*—Survey Nos. 45, 49, 51, 56, 91, 90, 89, 88 and 87.

4. *Area of compulsory supply.*—(*a*) Subject to the provisions of sub-clause (A) of clause 6 below, the licensee shall maintain to the satisfaction of Government a full and continuous supply of energy throughout the streets and parts of streets as are mentioned below and shown in yellow colour on the deposited map :—

(1) Tambaku Market Road : from Belgaum-Poona Road (Kolhapur Road) to Tandul Peth.

(2) Tandul Peth and Dalal Peth : from Tambaku Market Road to Lohar Galli.

(3) Goruwar Peth : from the Junction of Dalal Peth to Bhagwan Galli.

(4) Satwai Galli : from Belgaum-Poona Road (Kolhapur Road) to the Junction of Dalal Peth.

(*b*) In the case of any difference between the description of the streets mentioned in sub-clause (*a*) of this clause and that indicated on the deposited map, the latter shall prevail.

5. *Revocation of license.*—If the licensee fails to comply with the provisions of sub-clause (*a*) of clause 4, the license shall be liable to be revoked.

6. *Purposes and limitation of supply.*—(A) Subject to the provisions of this license and the Act and the rules, the licensee shall be entitled during the continuance of this license to supply energy within the area of supply for all purposes and in bulk and to other licensees for their own purposes.

(B) The licensee shall within three months from the commencement of this license submit for the sanction of Government the following :—

(*a*) The form of requisition to be made by an owner or occupier of premises or a distributing licensee for the supply of energy;

(*b*) The form of written contract or agreement to be executed by such owner or occupier or distributing licensee in favour of the licensee for taking a supply of energy; and

(*c*) The rates of all miscellaneous charges which the licensee proposes to levy from such owner, occupier or distributing licensee as incidental to or in connection with such supply.

(C) Clauses V, VI, VII, IX, X and XI of the Schedule to the Act shall, wherever necessary, be read as expressly added to or varied to the extent set out in sub-clause (B) of this clause.

(D) The licensee shall not supply energy to any premises unless the owner or occupier of such premises has satisfied the licensee that all work including repairs relating to electric wires, fittings and apparatus, on such premises, has been carried out by a licensed electrical contractor and under the supervision of a Competency Certificate holder under the rules or orders issued by Government in this behalf, or by such other person as may be authorised to carry out such works under rule 48 of the rules and clause VI of the Schedule to the Act shall be deemed to be modified accordingly.

7. *System of supply.*—(A) The system of supply of energy which may be adopted for the purpose of this license shall be the following :—

*Alternating Current.*

Single or three-phase, three or four-wire, periodicity fifty cycles per second. The pressure of supply at the consumer's terminals shall be as under :—

(*a*) 230 volts between each phase and neutral for general purposes, viz. lights, fans, heaters and refrigerators;

(*b*) 400 volts between phases for motive power purposes and purposes other than those specified in (*a*) above; and

(*c*) any pressure up to 6,600 volts for feeders and for supply to any large consumers for power purposes:

Provided always (i) that the licensee may from time to time with the previous consent in writing of and subject to such limitations and conditions as may be prescribed in writing by Government adopt any other system of supply for the purpose of this license and (ii) that no high tension mains shall be brought within or near the populated areas without the specific sanction of Government in each case.

(B) The feeders, distributing mains and service lines may be laid overhead or underground but wherever and whenever specifically required to do so in writing by Government, such feeders, distributing mains or service lines shall be laid underground :

Provided that—

(*a*) no work or works shall be commenced by the licensee unless and until the method of construction has been previously approved in writing by the Electrical Engineer to Government;

(*b*) where overhead mains are used, they shall nowhere be at a height of less than thirty feet from the ground level of the streets at all crossings in all the routes where "raths" or "taboots" or other similar religious processions are likely to pass. In cases of dispute such routes and heights shall be determined by the District Magistrate;

(*c*) in narrow lanes or streets the poles for overhead mains shall be placed on the extreme edge of the lane or street and a special construction to be approved by the Electrical Engineer to Government shall be adopted to keep the wires clear of every building;

(*d*) no poles for overhead lines shall be erected in streets or thoroughfares which are less than ten feet in width for vehicular traffic; and

(*e*) nothing in this license shall authorise the licensee to use overhead mains at a pressure higher than the medium pressure without the written sanction of Government in each case and subject to any conditions or limitations which Government may prescribe in that behalf.

(C) Due precautions shall be taken to avoid any possible interference with the adjacent telephone or telegraph circuits due to inductive effects. The electric wires shall be suitably transposed where necessary.

(D) For the purpose of rule 68 (2) of the rules, the maximum wind pressure shall be taken as fifteen pounds per square foot.

8. *Generating, receiving, transforming and distributing stations.*—(*a*) The generating, receiving, transforming and distributing stations shall be within the area of supply.

(*b*) The licensee shall employ a Resident Electrical Engineer in technical charge of the undertaking and the appointment of such an engineer shall have the approval of the Electrical Engineer to Government.

9. *Rates: Limits of prices to be charged.*—The rates to be charged by the licensee for energy supplied by him shall not exceed the maxima set out below, or in the case of a method of charge approved by Government under clause (*c*) of sub-section (*3*) of section 23 of the Act such maxima as Government may fix on approving the method, namely—

(A) Where energy is supplied by meter :—

(1) For general supply purposes, viz. :—

(*a*) for lights and fans—A rate of annas six per unit;

(*b*) for heating and refrigerating purposes—A rate of annas two per unit.

(2) For motive power purposes and purposes other than those mentioned in items (1) (*a*) and (*b*) above and (3) below—

Up to and including 3 K.W.—A standing charge of Rs. 2 per B.H.P. or part thereof connected per mensem, plus annas 2 per unit.

Over 3 K.W.—A standing charge of Rs. 2 per B.H.P. or part thereof connected per mensem plus anna one and pies six per unit.

(3) For motive power for purposes of agriculture and small industries with 5 or less B.H.P. Motors : A standing charge of Rs. 2 per B.H.P. or a fraction thereof connected per month plus anna 1 per unit, provided that the annual consumption of energy amounts to 5,000 units per annum. If annual energy consumption is below 5,000 units in a year, rates stated in sub-clause (A) (2) shall apply.

*Note.*—The term " unit " occurring in this sub-clause shall mean the energy contained in a current of 1,000 amperes flowing under an electromotive force of one volt during one hour.

(4) (*a*) A minimum charge as per following scale in respect of item (*a*) of sub-clause (A) (1) of this clause shall be charged—exclusive of meter rent and irrespective of whether energy of that value has been consumed or not :—

| | Per month. Rs. a. p. |
|---|---|
| Installation consisting of— | |
| Up to and including 5 points ... ... ... | 1 0 0 |
| Above 5 points up to and including 10 points ... ... | 2 0 0 |
| Above 10 points up to and including 18 points ... ... | 2 8 0 |
| Above 18 points ... ... ... | 3 0 0 |

(*b*) A minimum charge of Rs. 3 per mensem in the cases referred to in item (*b*) of sub-clause (A) (1) shall be charged exclusive of meter rent and irrespective of whether energy of that value has been consumed or not, provided that if there is a lighting installation for which a minimum is levied under sub-clause (4) (*a*), minimum under this clause shall be inclusive of minimum charged under sub-clause (4) (*a*).

(5) *Meter Rent.*—The rent to be charged for meters shall not exceed—

Annas four per month for a single-phase A.C. meter.

Annas eight per month for a poly-phase A.C. meter.

(B) Where energy is not supplied by meter, a fixed rate of rupee one and annas eight per mensem shall be charged for a twenty-watt light and rupee one for every additional twenty watts or part thereof burning for not more than six hours per night.

(C) In the case of large consumers, contracts may be made for fixed periods at such rates not exceeding the rates specified in sub-clause (A) of this clause as may be agreed upon.

(D) Without prejudice to anything contained in the above sub-clauses, the licensee may at any time enter into a special contract with the Municipality of Nipani for the supply of energy to the said Municipality for public lighting upon such terms and conditions and at such rates not exceeding the maxima charges specified above, as may for the time being be mutually agreed upon.

9-A. Notwithstanding anything contained in any contract or agreement entered into by the licensee with individual consumers in pursuance of the sanction granted by Government Notification, Public Works Department, No. 7291/27, dated the 23rd August 1934, and subsisting on the date of the commencement of this license; the rates to be charged by the licensee to such consumers for energy supplied after the commencement of this license, shall not exceed the maxima rates leviable under clause 9 of this license.

10. *Agreement between the licensee and the managing agents.*—The licensee shall not enter into an agreement with Managing Agents, if any, or make any modifications to such agreement already entered into, unless with the previous consent in writing of the Government. The Government shall also have the right to examine any agreement between the licensee and the Managing Agents, if any, and to require suitable modification therein as a condition precedent to Government granting any consent as required by section 9 (2) of the Act.

11. *Breaking up of streets.*—The length of trenches to be opened on any street at any one time, and the period for which they may remain open, shall be determined from time to time by Government or the local authority by which such streets are repairable.

12. *Purchase of the undertaking.*—(A) The option of purchase given by sub-section (*1*) of section 7 of the Act shall be exercisable first on the expiration of forty years from the commencement of this license and thereafter on the expiration of every subsequent period of ten years therefrom. The percentage of the value of the lands, buildings, works, materials and plant of the licensee referred to in sub-section (*1*) of section 7 of the Act which shall be added to such value under the second proviso to that sub-section on account of compulsory purchase shall be ten per centum.

(B) In accordance with clause (*d*) (*ii*) of sub-section (*2*) of section 3 of the Act, it is hereby declared that the generating station belonging to the licensee and used in connection with the undertaking or where energy is purchased from any other person or company, the receiving and distributing sub-stations used in connection with the undertaking, shall form part of the undertaking for the purpose of purchase under section 5 or section 7 of the Act.

13. *Assignment of the license.*—At any time after the commencement of this license the licensee may, with the previous consent in writing of Government, and subject to compliance with such conditions upon which such consent may be given, assign this license and transfer the whole of the undertaking in respect of which this license is granted (including all lands, buildings, works, materials and plant of the licensee) to any individual or company formed or to be formed and registered in the Province of Bombay in accordance with the law for the time being in force in British India, or, in Great Britain under any enactment relating to companies for the time being in force there and having authority to take over the license and the said undertaking as the case may be and to exercise the powers and perform the obligations given to or imposed upon the licensee under this license, the Act and the rules, and on such assignment and transfer, the rights, powers, authorities, obligations and liabilities of the licensee shall be exercisable by and shall attach to such individual or company formed or to be formed as aforesaid.

14. *Exemption from security.*—In pursuance of clause (*f*) of sub-section (2) of section 3 of the Act, it is hereby expressly declared that clause 1 of the schedule to the Act shall be exempted from incorporation in this license.

15. *Submission of technical data.*—The licensee shall submit to Government annually before 1st October, a statement showing the technical data made up to 31st March of the same year in the form prescribed by Government.

Dated this seventeenth day of December 1940.

By order of the Governor of Bombay,

C. E. AITKEN,
Secretary to the Government of Bombay,
Public Works Department.

By order of the Governor of Bombay,

C. E. AITKEN,
Secretary to Government.

To Confl. Clerk for keeping in Confl. cupboard signed copy
Pln of license & map with plans copy of both
25/1/41
One signed copy of the License, the map & Pln (No 122)
copy of the E.R. scheme and G.N. attached
Jms
31.1.41
To Mr.

## PUBLIC WORKS DEPARTMENT.

Bombay Castle, 17th December 1940.

No. 1104/36-II.—It is hereby notified for general information that the sanction granted under section 28 of the Indian Electricity Act, 1910 (IX of 1910), to Messrs. Ardesher D. Baria and Navnitlal C. Javeri by Government Notification in the Public Works Department No. 7291/27, dated the 23rd August 1934, to engage in the business of supplying energy in the area comprised within the limits of the Municipal District of Nipani has been revoked by the Government of Bombay with effect from the 17th day of December 1940, being the date from which the Nipani Electric License, 1940, granted to Messrs. Ardesher D. Baria and Navnitlal C. Javeri comes into operation. INDIAN ELECTRICITY ACT, IX OF 1910.

By order of the Governor of Bombay,

C. E. AITKEN,
Secretary to Government.

(Mp. 221-22 destroyed
Reminder 18/2/41)

# THE NIPANI ELECTRICITY CO.

TEL. ADD. "CONELECTRO"
TELEPHONE NO. 20704.

P. O. BOX No. 879,
17B, ELPHINSTONE CIRCLE, FORT,

*Ref. No.* NIP/

BOMBAY, 21st February 1941.

The Assistant Secretary to the Government of Bombay,
Public Works Department,
BOMBAY:

Dear Sir,

Subject: The Nipani Electric License, 1940

X Reminder destroyed.

With reference to your letter No. 1104/36-M X/221 dated 18th inst., we beg to acknowledge the receipt of the Nipani Electric License, 1940, with a copy of the Deposited Map forwarded therewith.

Yours faithfully,

BGP/

b 2.16 at D

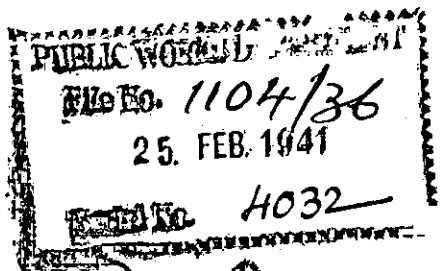
Await

GP
25.2.41

4/3/41.

M on file 2643/36
re est. to [illegible]

MB. 26/2
GR
26/2




25-2-41

1104/36

No 1104/36 M

BC 31-3 41

To

Messrs Baria & Javeri,

c/o The Nipani Electricity Co.

17 B, Elphinstone Circle,

Fort, Bbay.

Dear Sirs

The Nipani El. License 1940.

I am directed to invite attention to clause 6(B) p 216 of the license mentioned above and to request you to expedite the submission of the forms of requisition etc for the sanction of Govt.

GR
28.3.41

Yours Ms.

31/3/41

ISSUED
2- APR. 1941

A Sec.

For conditions see plan

on file No 5786/36

16-6-41

(For assignment of lease see file 5.58/1736.) → 713 file 12/5/41

**RECORDED.**

*FILE CLOSED*

W Ashdale

3-5-56